

Mayor and Cabinet		
Title	Update on Fire Safety in Lewisham	
Wards	All wards	
Contributor	Executive Director for Customer Services	Item
Class	Part 1 (open)	15 November 2017

1 Purpose

- 1.1 This report provides Mayor and Cabinet with an update on the national, London-wide and (in particular) Lewisham response to the Grenfell Tower fire in Kensington and Chelsea.
- 1.2 This report is being presented to Mayor and Cabinet due to the importance of fire-safety and the continuing developments both at a national, London and local level following the Grenfell Tower. Officers will bring a quarterly update report to Mayor and Cabinet.
- 1.3 As part of Lewisham's response, the report sets out the actions following the failure of cladding on three Council-owned tower blocks, and wider fire safety actions being undertaken on council properties.
- 1.4 The report outlines actions being undertaken in relation to private sector and registered provider building owners, in light of the most recent guidance from the Department for Communities and Local Government (DCLG)
- 1.5 The report also highlights the latest update on the financing of works relating to fire safety.

2 Recommendation

- 2.1 It is recommended that the Mayor notes the content of this report.

3 Background and context

- 3.1 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 Metropolitan Police estimated 80 people died in the fire, with the most up to date statement confirming 67 deaths.
- 3.2 The unprecedented scale of the Grenfell Tower tragedy, the horrific loss of life and impact upon victims' families and friends has resulted in a number of public enquiries and reviews.
- 3.3 The event has raised wider series of questions about the efficacy of civil contingency planning, impact of public spending cuts and suitability of regulatory controls. The longer term ramifications of these issues in terms of housing and other construction related policy and oversight are still to be worked through.

4 National Response

Emergency response to victims

- 4.1 In the days following the fire, the Government announced a £5m support fund for victims of the blaze.
- 4.2 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.
- 4.3 On the 5th July an Independent Recovery Taskforce for Kensington and Chelsea Council was created to assist the Royal Borough of Kensington and Chelsea to deal with the longer term recovery of the fire.

Public enquiry and wider investigation

- 4.4 A formal inquiry into the tragedy at Grenfell was announced on 29th June 2017. The inquiry is being chaired by Sir Martin Moore Bick, a retired Appeals Court Judge. The terms of reference were set on 15th August 2017, marking the start of the enquiry. The enquiry is expected to report in Spring 2018.
- 4.5 A dedicated website has been set up in relation to the enquiry and a full list of issues for investigation has been published.
- 4.6 On the 28th July 2017 DCLG announced an independent review of building regulations and fire safety, led by Dame Judith Hackett. The terms of reference were set on the 30th August 2017.
- 4.7 The review will assess the effectiveness of current building and fire safety regulations, and related compliance and enforcement issues. It will also address whether the large scale cladding testing programme identified systemic failures.
- 4.8 London Councils has coordinated and submitted a London-wide response to the independent building review consultation. The outcome of the consultation is expected in Spring 2018.

Government testing and guidance on fire safety checks

- 4.9 On the 28th July 2017 DCLG announced the Building Safety Programme which aimed to identify buildings of concern through testing how different Aluminium Composite Material (ACM) cladding types react in a fire in combination with two forms of insulation.
- 4.10 The tests were carried out by the Building Research Establishment (BRE), and involved building a 9 metre tall demonstration wall with a complete cladding system – including panels and insulation – fixed to it, and then subjecting it to a fire that replicates a severe fire in a flat breaking out of a window and whether it then spread up the outside wall.
- 4.11 The DCLG released test results immediately after each test, publishing a final consolidated advice note on the 5th September 2017.

- 4.12 Seven combinations were tested. Four combinations failed and three combinations passed safety tests.
- 4.13 Further interim safety advice was published by the DCLG at the end of September. This outlined mitigating safety measures which owners of buildings with failed cladding should implement, until remedial works are completed, in liaison with the fire and rescue service.

Powers of Local Authorities regarding Private Sector buildings

- 4.14 On the 8th October 2017 the Department for Communities & Local Government issued clarification of the powers that they believe are available to Local Authorities as part of their ongoing Building Safety Programme. This is attached at Appendix A.
- 4.15 The DCLG point to the Housing Act 2004, which permits authorities to inspect and enforce where ACM cladding poses a hazard under the HHSRS.
- 4.16 DCLG also note that Authorities should seek their own legal guidance where they may be required to carry out an inspection or enforcement action against private building owners.

5 London Response

- 5.1 London Councils met on 12th July 2017 to discuss the initial response to the fire and to provide assistance, advice and co-ordination to local authorities in London.
- 5.2 A board was established to facilitate ongoing co-ordination amongst councils, to share best practice and to ensure that member authorities have access to advice and support from across the region. The group provides overall strategic direction to the regional response.
- 5.3 The board also agreed that a technical board be set up to discuss guidance and recommendations produced by the DCLG, to advise authorities with regards to the detail of any such publication, and to work with DCLG and others as necessary to ensure the suitability and appropriateness of future guidance.
- 5.4 Officers from Lewisham Council are members of both boards and continue to work closely with officers at London Councils to provide updates and feedback on fire-safety related issues.

6 Fire safety in Lewisham: ACM cladding

ACM cladding: Lewisham owned tower blocks

- 6.1 Lewisham Homes (LH) and Regenter B3 (RB3) manage Lewisham Council properties, including 81 tower blocks (71 LH, 10 RB3). No blocks under RB3 required testing by DCLG, but six blocks managed by LH did. Of these, three blocks failed the large scale testing test carried out by DCLG. These blocks are Hatfield Close 1-48, Hatfield Close 49-96 and Gerrard House, all in the New Cross area.

- 6.2 The priority at this stage is to remove the cladding as quickly and safely as possible. Lewisham Homes (LH) has appointed a contractor and professional services to remove and replace the cladding. Cladding removal is currently underway.
- 6.3 Full removal of cladding is expected by 8th December 2017, weather dependent.
- 6.4 The London Fire Brigade (LFB) conducted intrusive inspections at Hatfield and Gerrard blocks. All three blocks received notices listing fire safety works deemed necessary, which have been completed.
- 6.5 A follow up inspection by the LFB occurred in early October. The LFB were satisfied with the safety measures in place whilst the cladding was being removed.
- 6.6 Twenty-four hour fire wardens continue to be on site at three blocks to ensure resident safety until the cladding has been fully removed.
- 6.7 Residents continue to be updated and LH have arranged public meetings in consultation with the Tenant Resident Association as deemed necessary.

ACM cladding: Registered Provider owned tower blocks

- 6.8 There are a total of 67 tall building owned by registered providers in Lewisham.
- 6.9 In respect of blocks managed by registered providers in Lewisham, London and Quadrant (L&Q) have five blocks at Clyde Terrace which also failed the BRE testing carried out by the Building Safety Programme.
- 6.10 L&Q have informed us that they are currently in the planning stage to remove and replace the cladding on the affected blocks. These blocks are partially clad in ACM.
- 6.11 Goldsmiths University have also confirmed that none of their buildings in Lewisham have ACM cladding. They have also reassured us in relation to their fire risk assessment regime.

ACM cladding: Private providers

- 6.12 There are 42 tall buildings under private ownership. We have now been in correspondence with all of our private landlords who have tall buildings in Lewisham.
- 6.13 Those who have returned information have assured us as to the most recent Fire Risk Assessment and assurance of provision of fire safety information to residents.

- 6.14 Officers are currently in discussion with two building owners in relation to the nature of their responsibility to assure the Lewisham Council that their building does not have ACM cladding.
- 6.15 Our most recent communication has emphasised the DCLG guidance and responsibilities of building owners to understand and communicate to Lewisham Council any ACM cladding present on the building.
- 6.16 Officers are in the process of collating data returns to DCLG in relation to tall buildings, due for submission over the next few weeks. Our intention is that should officers not have heard from the building owners this will be reported to DCLG, and the London Fire Brigade notified.
- 6.17 Officers will seek legal advice, in line with DCLG guidance, should further action be needed in regards to compelling private owners to take action.

7 Wider fire-safety in Lewisham

Fire Risk Assessment surveys

- 7.1 Lewisham Homes have started a rigorous programme of detailed and intrusive Fire Risk Assessment (FRA) inspections which go beyond the usual standard. The assessments will involve testing of blocks to ensure that compartmentalisation is fully retained and to assess for any fire risks that may be concealed during a regular assessment.
- 7.2 The surveys will commence in October, starting with Eddystone and Daubeney blocks. Following this, a two year programme of intrusive inspections across all blocks over 6 stories will begin. These will be prioritised on a risk basis.
- 7.3 All regular FRAs across all Lewisham Stock, including buildings below 6 stories, are up to date and have been completed within the proper timeframe. A regular programme of regular FRA's is in place.
- 7.4 Regenter B3, who manage the PFI contract in the Brockley ward, are starting a programme of works identified during the most recent FRA inspections across the entirety of their estate.

Sprinkler retro-fitting

- 7.5 Lewisham Homes already have a sprinkler installation programme for sheltered schemes budgeted at c£500,000
- 7.6 For full installation of sprinklers across all high-rise blocks and hostels is estimated to cost a further £17.5 million.
- 7.7 LH propose to assess viability and need of sprinkler systems as part of the two year intrusive FRA survey process.

Fire doors

- 7.8 Independent tests on the installation of fire doors (installed as part of the decent homes work) have indicated some poor workmanship in the manufacturers' installation methods. This has been found across the sample of doors installed by the two main contractors.
- 7.9 As a result of the above, investigations are ongoing and work is starting on correcting the installation where needed. TRAs and residents will be fully informed and advised throughout all of this work.

Sheltered Housing

- 7.10 Of the 18 sheltered schemes that are managed by Lewisham Homes, 15 have sprinkler systems installed.
- 7.11 The remaining three are in the process of receiving Sprinkler installations, with works at an advanced stage of completion in two of the blocks and works due to start in the remaining block during the week commencing 9th October.

Hostels

- 7.12 All Fire Risk Assessments for hostels are up to date and the actions outlined in each FRA are being handled as appropriate.
- 7.13 Fire safety drills were undertaken in all Hostels in July to assess the readiness of tenants for an evacuation in the event of a fire.
- 7.14 Guidance has been issued to staff managing hostels to ensure the proper application of guidelines relating to fire safety.
- 7.15 Officers are considering the appropriateness of a sprinkler installation scheme for all Hostels that do not currently have a sprinkler system.

8 Funding of fire-safety related works

- 8.1 The DCLG has maintained the position that 'as landlords, you will fund measures designed to make a building fire safe, and will draw on your own existing resources to do so' and that 'where a Local Authority has concerns about funding essential fire safety measures, they should approach us as soon as possible to discuss the position.' (Letter from The Rt Hon Sajid Javid MP to Chief Executives of Local Authorities and Registered Providers, dated 31st July 2017).
- 8.2 Based on estimates from a survey of Local Authorities conducted by London Councils, cladding removal is estimated at £1.4million per block. This is slightly lower than the Lewisham Homes estimate of £1.75million per block.
- 8.3 The London Councils analysis shows an average cost of £426k per block for sprinkler works, but with large variance between boroughs. Lewisham have modelled a lower figure of £212k per block (including all blocks above 6 stories and sheltered accommodation). Members should note that scope of works plays a huge part of this figure, and these figures are estimates only.

8.4 Based on current situation, costs related to the Councils social housing stock will be charged to the HRA, and grant funding will be applied for if available. Officers are currently looking at the implications for the HRA.

8.5 Regarding the funding of works, the Mayor of Lewisham has been in correspondence with Sajid Javid MP, copies of which are available at Appendix B. Lewisham Council continues to set out our concerns to the DCLG in relation to the cost of these works and further works.

9 Legal Implications

9.1 There are no legal implications arising from this report.

10 Financial implications

10.1 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.

10.2 The work currently being undertaken to ensure all fire safety arrangements are up to date, including removal of ACM cladding and fire patrols relating to LBL owned social housing stock is being covered by existing HRA management, repairs & maintenance and capital allocations.

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

11 Crime and disorder implications

11.1 There are no crime and disorder implications arising from this report.

12 Equalities implications

12.1 There are no equalities implications arising from this report.

13 Environmental implications

13.1 There are no environmental implications arising from this report.

14 Background Documents and Report Originator

14.1 If you have any queries relating to this report please contact Jeff Endean on 020 8314 6213.