

<b>Subject:</b>	<b>Housing Fire Health &amp; Safety Update</b>
<b>Date of Meeting:</b>	<b>19 September 2018</b>
<b>Report of:</b>	<b>Executive Director Neighbourhoods, Communities &amp; Housing</b>
<b>Contact Officer: Name:</b>	<b>Martin Reid / Grant Ritchie Tel: 01273 29 6806</b>
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<b>Ward(s) affected:</b>	<b>All</b>

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Our highest priority remains the safety of our residents and those visiting or working on council homes. The purpose of this report is to update Committee on our continued joint work with East Sussex Fire & Rescue Service (ESFRS) in response to housing fire health & safety matters arising following the Grenfell Tower tragedy.
- 1.2 The purpose of this report is to update on developments and oversight of the following:
- Fire Doors
  - Consultation on installation of sprinkler systems
  - Other actions taken and developments post Grenfell Tower tragedy.
- 1.3 In addition, we continue our usual fire health & safety compliance work across the Housing estate. We continue to report updates and progress to our joint Council & ESFRS, Housing Fire Health and Safety Board and in our update reports to Housing & new Homes Committee.
- 1.4 The findings and the recommendations included in this report have been the subject of consultation with East Sussex Fire and Rescue who support our proposed approach.

**2. RECOMMENDATIONS:**

- 2.1 That Housing & New Homes Committee agree our proposed approach in response to the latest Government advice on fire doors as outlined in paragraphs 3.13 & 3.14 of this report.
- 2.2 That Housing & New Homes Committee agree resident consultation on the adoption of a hybrid sprinkler scheme be offered to our residents at St James's House and Essex Place as outlined in paragraph 3.21 and commencement of consultation with residents of additional blocks as outlined in paragraph 3.23.

- 2.3 That Housing & New Homes Committee note our ongoing joint work with ESFRS and actions following the Grenfell Tower tragedy.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 A multi-agency Housing Fire, Health and Safety Board, which includes ESFRS, several council departments, and related agencies, has been in place for several years to ensure effective use of our resources good, governance and a 'joined-up' approach in order to enable effective management of fire risk in our housing stock. Council capital and other resources to enable effective management of fire risk have been well supported and increased over a number of years.
- 3.2 Housing & New Homes Committee on 20 September 2017 considered a HRA Asset Strategy Review – Providing Safe Homes, specifically in relation to Health & Safety in light of the Grenfell Tower tragedy. This report agreed recommendations to consult residents on installation of sprinkler systems across all high rise blocks in the city over a 5 year programme period and to proceed with resident consultation, procurement and subsequent installation of a sprinkler system to Essex Place subject to match funding from East Sussex Fire & Rescue Service. Permission to proceed with consultation on a joint East Sussex Fire & Rescue funded proposal to install a sprinkler system at St James House had been agreed at a previous Housing & New Homes Committee.
- 3.3 Prior to, and since the Grenfell Tower tragedy, we have undertaken a large number of actions, working closely with ESFRS. Since the Grenfell tragedy, these actions have largely focused on high-rise homes initially, and included undertaking additional precautionary inspections jointly with the fire service to check their safety, over and above the standard fire risk assessment process that is undertaken on all blocks.
- 3.4 This report provides an update on our joint working with ESFRS in this respect. In particular, information on the current position with fire doors on council homes in light of recent government guidance and progress of our consultation on sprinkler system installation in high rise blocks.

#### **Fire Doors**

- 3.5 The Council is continuing to work closely with ESFRS in response to the latest Government information on fire doors. In light of this the council is temporarily halting its routine front door replacement programme in blocks of flats following a national agreement by manufacturers to suspend production of fire doors. Essential repairs to doors will not be affected.
- 3.6 The move follows a call to door suppliers from the Ministry of Housing, Communities & Local Government (MHCLG) to take action after a number of fire doors failed to meet performance standards in testing carried out following the Grenfell fire.
- 3.7 The advice from the government and National Fire Chiefs Council on fire doors is that the additional risk to public safety is low, as a building's fire protection uses a range of measures and, even when not meeting full resistance standards, fire doors will provide some protection. The National Fire Chiefs Council has advised

that people should follow existing fire procedures for the building. All doors provide essential protection in a fire if they are properly closed.

- 3.8 MHCLG has informed local authorities that testing on Masterdor fire doors has found they do not consistently meet the 30 minute fire resistance standard. We have 2,254 of these doors in our housing - 1,585 in high-rise blocks and 669 in other properties. All were installed before 2010.
- 3.9 We have carried out additional fire risk assessments on all our high-rise buildings where Masterdor fire doors are fitted. We have looked specifically at the potential impacts of the doors failing within 30 minutes and the assessments have confirmed that the risk remains low.
- 3.10 In addition, IG Doors, the council's current door supplier, have written to our repairs partners Mears to inform them that they've currently suspended the supply of new doors. IG Doors are not one of the suppliers whose doors failed.
- 3.11 The risk assessment of the impact of the potential failure of an I.G Ltd door is the same as those identified above for the Manse Masterdor. However it does impact on the scale of the issue for the council. In addition to the current estimate that we have 2254 Manse Masterdors installed in flats across our estate we also estimate that we have 4735 I.G Doors.
- 3.12 Our highest priority remains the safety of our residents and we are awaiting further instruction from the government on what further action to take. Working in partnership with ESFRS we propose to keep the situation under regular review and consider new information that becomes available from a number of reviews and investigations currently underway around the Grenfell Tower Fire.
- 3.13 In the meantime, in light of the low risk presented by the early failure and the lack of clarity in the industry on a potential replacement we do not propose to begin replacing Manse Masterdor flat entrance doors at this time. We do propose to progress works with others to seek assurance of the performance of IG Doors Ltd composite fire doors.
- 3.14 In view of the current recommendation from MHCLG, we propose that we work with Finance colleagues to identify suitable funds for the future replacement of Manse Masterdor and review the financial implications of the similar situation that has arisen with IG Doors. There will also be budget implications on our current door replacement programme. We will keep MHCLG updated on our course of action. Any funding review decision will be subject to Committee approval.

### **Sprinkler Installation in High Rise Blocks**

- 3.15 Following the adoption of recommendations made to this committee for a joint funded project with ESFRS at St James's House and Essex Place we have been going through a process of consultation and procurement.
- 3.16 The consultation has included:
- Letters to all residents at each block;
  - A fact sheet including frequently asked questions;

- A public meeting attended by ESFRS and council representatives held at each block;
  - A statutory consultation process with leaseholders in each block;
  - A door to door survey of each block.
- 3.17 Having received feedback from the first round of consultation we have gone back to the potential supplier and made changes to improve the appearance of the pipework boxing in the common way and added in further control measures in the system to improve the identification of an activation.
- 3.18 Although meetings were well attended we are keen to ensure that we have provided as many residents as possible with the opportunity to comment and therefore we have undertaken a door to door survey to establish the opinion within the two blocks for our proposal. If residents were out when we called we left a form for them to complete and leave in ballot boxes placed in the entrances of each block.
- 3.19 The door to door survey provided the greatest number of responses of any of the methods of resident engagement. All flats were included in the door to door regardless of ownership. The survey asked if residents supported the proposal to install sprinklers in both flats and the common way. If residents indicated they did not we also asked if their lack of support was due to cost, appearance or concerns over leaks.
- In St James's House 61% (74 flats) of residents provided answers to our question of those 50% (37 flats) support the proposal to fit a complete system.
  - At Essex Place 46% (59 flats) of residents responded to our question of those 38% (23 flats) support the proposal to fit a complete system.
- 3.20 The greatest concern expressed by residents was the appearance of the system in their flats closely followed by the fear of leaks. Cost was less of a concern but that was to be expected as only leaseholders would be asked for a financial contribution.
- 3.21 In light of these results and recognising the Committees wish that residents support the scheme we have reviewed our proposal and intend to offer a hybrid instillation. This will be communicated to residents both by letter and at resident meetings to be held at each block.
- A full sprinkler instillation in the common parts and ancillary rooms such as bin stores laundry rooms etc.
  - Each resident will be offered a full sprinkler instillation in their flat.
  - Residents who do not wish to take up this offer will be asked to accept a single sprinkler head close to the flat entrance door. This is intended to protect the common escape routes and contain a fire within the flat of origin.
- 3.22 As this proposal differs from that first discussed with ESFRS we will seek assurance from them that this proposal is sufficient to receive the match funding first proposed. If this proposal does not meet ESFRS criteria then we will need to consult Leaseholders again on a increased cost

- 3.23 Once we have completed the consultation process with St James's House and Essex Place residents we also propose to start engagement with residents at Theobald House, Nettleton Court and Dudeney Lodge. This will be undertaken in tandem with a sprinkler procurement process for these blocks. We are continuing to work with ESFRS to identify potential funding options with a view to maximise the number of flats choosing to take up the sprinkler option.
- 3.24 **An overview of our ongoing joint work with ESFRS and actions following the Grenfell Tower tragedy.**

#### **What We Did**

- We immediately established an additional and enhanced Fire, Health & Safety Board for co-ordination of questions and to identify our position. The first meeting was two days after Grenfell and included directors and managers from all relevant departments and our colleagues at East Sussex Fire and Rescue Service.
- We established the protocol required for communications and how we were to proceed.
- Within seven days of the first board meeting we had undertaken enhanced joint visits with our colleagues at East Sussex Fire and Rescue and we had visited all council high rise blocks within a further 7 days and highlighted any issues.
- We hand delivered information leaflets to all our high-rise blocks explaining what we were doing and what measures were in place.
- Within 7 days we had undertaken external inspections of all our blocks and clarified that none had an Aluminium Composite Material (ACM) panel of the type used at Grenfell Tower installed.
- We proactively checked all our records and established what materials were used on 7 of our blocks which had a rain screen style cladding and confirmed with manufacturers the fire standards of these.

#### **Following this**

- Detailed independent surveys were undertaken of our rain screen clad blocks.
- We produced a report for committee.
- We have increased the number of surveyors undertaking Fire Risk Assessments.
- We have purchased new technology to make the logging of FRA's simpler.
- We continue a risk based programme of FRA's across our stock overseen by our joint council & ESFRS Housing Fire Health & Safety Board.
- We have actioned works identified by the enhanced FRA's.
- We are implementing a programme to upgrade all leasehold owned flat front doors and to ensure that all leasehold properties are compliant to our fire safety standards.
- We have visited all privately owned high rise properties throughout the city to ascertain the cladding systems and we can confirm that we are not aware of any residential blocks over 18m in height with ACM cladding in the Brighton & Hove.
- We are working closely with East Sussex Fire and Rescue Service to co-ordinate our services.

- All new Council blocks and conversions are to have sprinkler systems included.
- We are rolling out a sprinkler programme across the high-rise blocks in the City, subject to resident consultation.

### **The Future**

- We will continue to monitor private dwellings in partnership with Planning and Building Control.
- We will continue to improve our fire safety and continue to work with our colleagues at East Sussex Fire and Rescue Service.
- Our new build and conversion projects will ensure we enhance our fire safety requirements to ensure continued compliance with current and respond to new recommendations that may be implemented.
- We will continue to update the council website with all new relevant information and all high rise FRA's will be included.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

### **Fire Doors**

4.1 In compiling the recommendations contained in this report in relation to fire doors we gave consideration to the following options:

Commence an immediate plan of replacement.

- One alternative to the recommendation is to immediately prepare for a plan of replacement across the estate. The main obstacle to this is the current lack of confidence in the composite fire door market. Production of composite fire doors is currently on hold pending further testing and no decision on replacement can really be made until the outcome is known.

Keep the doors.

- Based entirely on the risk presented by a reduced standard of fire door it may be difficult to justify the wholesale replacement of all Masterdors. The contribution made by the fire door is part of the overall package of fire safety measures. If we accept that a door that provides only 15mins protection may still be fit for purpose in most circumstances then the argument to change the doors becomes less compelling. There is guidance already in use that recognises the contribution to fire safety made by robust doors that may not meet the current standard of a fire door.
- However, whilst not necessarily required based entirely on risk the absence of a 30min fire door to a flat entrance in a common way would be seem as a non compliance and the Authority would need to be comfortable to live outside guidance if this option were followed. As East Sussex Fire & Rescue are the enforcing body for the Regulatory Reform Fire Safety Order they are unlikely to be able to support this option.

### **Sprinklers**

4.2 In compiling the recommendations contained in this report in relation to sprinkler systems we gave consideration to the following options:

## A Mandatory Scheme

- The original proposal was the instillation of a complete sprinkler instillation to each of the blocks. Early consultation indicated that this proposal does not enjoy resident support. Legal work that has been undertaken does suggest that we could require that resident accept the instillation either under their tenancy agreements or as part of their lease agreement. However this Committee has been clear that this scheme should be undertaken with the support of residents and not as mandatory works. It should also be noted that with the relatively high numbers of residents they do not support the scheme a mandatory system would be very difficult to install across all of the City's high rise blocks.

## Withdraw the proposal

- An alternative would be to withdraw the proposal however this would then not provide the protection to residents who have expressed their support for the scheme. The withdrawal of the proposal would not allow us to build coverage over time. It is hoped that as the idea progresses some residents may feel that the benefits out way the concerns and engage with the scheme and it will provide the local authority the opportunity to equip flats if a property becomes empty.

## 5. COMMUNITY ENGAGEMENT & CONSULTATION

### 5.1 Resident consultation Sprinkler Instillation in High Rise Blocks has included:

- Letters to all residents at each block
- A fact sheet including frequently asked questions
- A public meeting attended by East Sussex Fire and Rescue and council representatives held at each block.
- A statutory consultation process with leaseholders in each block.
- A door to door survey of each block.
- A future meeting in September at each block to present the proposal.

## 6. CONCLUSION

- 6.1 Through our HRA Asset Management Strategy we are committed to ensuring health and safety of our homes and estates for residents, visitors and staff. We will continue to work closely with ESFRS through our joint Housing Fire Health & Safety Board to respond to Government guidance following the Grenfell Tower tragedy and to review means of enhancing fire health and safety measures where appropriate and subject to consultation.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The 2018/19 capital budget includes £0.407m for Dwelling Doors (including the provision of fire-rated doors) and £1.972m for Fire Safety (including the sprinkler programme). Provisional budgets of £0.308m and £0.317m for Dwelling Doors and £2.053m and £2.030m for Fire Safety were noted for 2019/20 and 2020/21 respectively.
- 7.2 The budget currently assumes that approximately £0.125m- £0.150m of match funding will be available from East Sussex Fire and Rescue Service (ESFRS) to

fund 50% of sprinkler costs of both St. James' House and Essex Place. If the hybrid option of sprinkler installations, as outlined in this report, is approved, it is likely that sprinkler costs will be lower but it is currently unknown whether ESFRS will still match fund the council's expenditure. If not, then this sum will need to be funded by the HRA capital programme.

- 7.3 Any in-year budget variations arising as a result of the proposals in this report will be assessed and reported as part of the TBM process, in line with other capital budgets. The 'HRA Budget and Investment Programme 2019/20 and Medium Term Financial Strategy' will be reported for consideration by this committee in January 2019 and will take account of any budget changes required.

*Finance Officer Consulted: Monica Brooks*

*Date: 07/09/2018*

Legal Implications:

- 7.4 The Regulatory Reform (Fire Safety) Order 2005 imposes a number of legal duties on the council as landlord in relation to fire safety issues. These duties include making a suitable and sufficient assessment of the risks to which occupiers and visitors may be exposed. That risk assessment must be reviewed regularly to keep it up to date. At this stage, it is reasonable not to take steps to replace the doors, but that decision must be kept under review, especially if an incident were to occur at any of the council's premises.

*Lawyer Consulted:*

*Name Liz Woodley*

*Date: 09/09/18*

Equalities Implications:

- 7.5 There are no equalities implications arising directly from this report. Our major and planned works programmes and budget proposals are subject to equalities impact assessment.

Sustainability Implications:

- 7.6 There are no sustainability implications arising directly from this report other than those already considered as part of our wider HRA Asset Management Strategy previously reported to Committee.

Any Other Significant Implications:

- 7.7 None other than those outlined in the report or the wider HRA Asset Management Strategy previously reported to Committee.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Documents in Members' Rooms**

1. None

## Background Documents

1. None

Appendix 1

### Crime & Disorder Implications:

- 1.1 None arising directly from this report.

### Risk and Opportunity Management Implications:

- 1.2 None arising directly from this report. Housing Fire Health & Safety is subject to joint council and ESFRS oversight through our Housing Fire Health & Safety Board.

### Public Health Implications:

- 1.3 None arising directly from this report.

### Corporate / Citywide Implications:

- 1.4 These are outlined in the body of the report.

