



Her Honour Frances Kirkham CBE
Assistant Deputy Coroner
The Coroner's Court
1 Tennis Street
London
SE1 1YD

Chief Executive's Office
Direct Dial : 020 7525 7171

23 May 2013

Dear Ms Kirkham

Re: Lakanal House fire 3 July 2009 – response to Rule 43 letter

Thank you for your letter of 28 March 2013 pursuant to Rule 43 of the Coroner's Rules (as amended), concerning the inquests into the tragic deaths of Catherine Hickman, Dayana Francisquini, Thais Francisquini, Felipe Francisquini Cervi, Helen Udoaka and Michelle Udoaka at Lakanal House on 3 July 2009.

I would like to take this opportunity to thank you for your thorough review of the events relating to the Lakanal fire and also the jury for their patience and diligence in reviewing the evidence from over 100 witnesses and technical experts.

We welcome your recommendations, and while some have already been completed or are already progressing, I have set out below the council's responses to each of them. Your recommendations are in bold and the council's responses are in italics:

Information and guidance to occupiers of flats and maisonettes in high rise buildings

There is no set definition of 'high rise' so we will apply your recommendations to blocks above 30m, equating to those of 10 storey and above. This is supported by the guidance set out in BS 9991:2011 relating to the installation of sprinklers in new buildings, where it says "All buildings with a floor higher than 30m above ground should be fitted with sprinklers".

We will also apply your recommendations to any lower height but complex blocks, i.e. those with more than one means of escape, along with the council's sheltered housing schemes and temporary accommodation hostels which house our most vulnerable residents. In our responses below, references to "high rise" blocks will include these further types of accommodation.

It is recommended that, in relation to residents of high rise residential buildings, your authority:

Demonstrate to those who are about to enter into occupation of a flat or maisonette the fire safety features of their dwelling and of the building generally; this should include walking residents through relevant features such as escape balconies and demonstrating how to open fire exit doors and where these lead.

Initially the in-house fire safety team will undertake an assessment of all high rise and complex blocks to develop information and guidance packs in relation to escape routes. This will be undertaken on an area basis. Upon completion packs will be passed to the lettings teams in Operations (training will be provided by the fire safety team at the point of handover). The lettings team will incorporate this information into the 'welcome pack' and will go through the guidance and walk through the relevant features with new tenants at the point of sign up. Tenants will be asked to sign to confirm they have had and understand the advice. The signed sheet will be stored on the council's electronic document management system, Info@Work, to ensure we have a record.

In particularly complex buildings, we will consider making referrals to the fire safety team to provide demonstrations to residents.

The resident officer for the building visits each new tenant within the first 6 weeks after they take occupation. At this visit the resident officer will ask the new tenant to confirm they have had information and guidance in relation to fire and again a signature will confirm this. This record will also be stored on Info@Work.

Throughout this programme the fire safety team will provide fire safety support to the current lettings process by participating in the works carried out in empty properties prior to re-letting, viewings and sign-ups where appropriate.

We will also share these block specific literature/packs with all existing residents in the blocks and consider how best to provide demonstrations to existing residents where appropriate.

Give residents clear guidance as to how to react if there is a fire in the building, namely to explain whether they should attempt to get out of their flat or maisonette and leave the building, or whether they should remain in their flat; that guidance should explain clearly how to react if circumstances change, for example, if smoke or fire enter their flat or maisonette.

Fire action notices (FANs) that advise residents and visitors what to do in a fire event are being installed in common areas as part of the current fire safety works (which take in all buildings of 5 storeys or above).

The council will revisit fire safety works done prior to the approval of the current FANs to bring these up to date, and we will increase the number of FANs installed to three per floor, where appropriate.

FAN information will also form part of the block's specific literature/pack referred to in recommendation 1.

Resident officers will also ensure as part of the annual tenancy check that residents understand the council's fire safety guidance and information and will make referrals to the fire safety team for further information or demonstration as required.

Consider additional ways in which information might be disseminated to residents, for example, by fixing inside each flat and maisonette a notice about what to do in case of fire.

The fixing of FANs to the inside of flats is not considered to be appropriate, particularly in light of actions to be undertaken in response to recommendation no. 2, and considering we cannot do so in dwellings sold under the right to buy (referred to by the council as "leasehold" dwellings) without the owner's consent. It is therefore intended to issue all residents in high rise blocks with an expanded version of the fire action notices and stay put principles in booklet form.

FAN information will also form part of the block's specific literature/pack referred to in the response to recommendation 1.

Signage in high rise residential buildings

It is recommended that your authority reviews signs in common parts of high rise residential buildings to ensure that these are sufficiently prominent and provide useful information. It is recommended that signage:

In common areas explain whether residents should normally remain in their flats or maisonettes or whether they should evacuate the building, in which case evacuation procedures should be explained.

Please see the response to recommendation no. 2.

Provide clear information to residents to enable them to find escape routes.

Directional signage was installed in the common areas of all high rise blocks during 2010 and is being checked and replaced where necessary as part of the current fire safety works.

Use pictograms to assist those for whom English is not their first language.

The directional signage referred to above is already in pictogram form as the Regulations require. Any new signage will meet the same requirements.

Provide information to those in the emergency services which would assist them to understand a building's layout and enable them quickly to find a particular flat or maisonette once inside the building.

We will carry out a review of all existing high rise block signage and undertake to ensure that it all complies with this recommendation, and will include the location of each flat on its floor. The signage will be placed at a level low enough to ensure visibility in smoke conditions.

In addition to this, we have also set up a project team to progress the distribution of plans of our blocks to the London Fire Brigade (LFB). While some plans have already been issued it is intended to follow these up in three tranches:

1. 22 LFB priority blocks
2. Blocks of 10 storey and above
3. Blocks of 5 storey and above

Although LFB have been issued with the council's special key suite that is used on areas not accessible to the general public, such as secondary escape routes, plant rooms and intake cupboards, we will also carry out a review of these areas and liaise with LFB to ensure they are easily accessible by LFB.

We will also ensure staff availability at times of LFB familiarisation visits, when requested, to ensure that all parts of the buildings are accessible during such visits.

It is also recommended that your authority liaise with London Fire Brigade regarding use of premises information plates and boxes.

We have liaised with the London Fire Brigade regarding premises information plates and boxes and will be installing premises information plates at prioritised blocks once the LFB have provided their format requirements. The council also has premises information boxes in its 20 sheltered housing schemes.

Policies and procedures concerning fire risk assessment

It is recommended that your authority review its policies and procedures concerning high rise residential buildings.

The council completely reviewed its approach to fire risk assessments across its stock in the months following the tragedy at Lakanal. This resulted in the creation of a highly skilled and experienced in-house fire safety team, whose sole task relates to the fire safety and associated management of the stock. Officers will carry out a further review and will programme this to take place on an annual basis.

Prioritising such buildings for regular rigorous review.

This recommendation has already been completed and as part of the ongoing fire risk assessment process a suitable review is always specified and rigorously undertaken. All of the council's housing stock has been fire risk assessed and a programme has been put in place which defines the timescale of review for each block. The cycle of review for blocks is determined by the initial assessment of its risk. This can vary from 6 months to 2 years, dependant on the risk of the building.

Considering the skills and experience needed to undertake an assessment of higher risk residential buildings.

This recommendation has already been completed because the council has already centralised the responsibility to a specialist in-house fire safety team that is considered highly skilled and experienced, also offering a high degree of building design and construction knowledge.

Considering the training required for members of staff considered to be competent to carry out assessments.

The in-house fire safety team has undergone a wide range of specialist training across many disciplines, and we also provide for continuous professional

development. Further training is provided for any change in law, regulation, guidance or practice.

In addition we have also considered the "Competency Criteria for Fire Risk Assessors" published by the Fire Risk Assessment Competency Council, and consider that our in house assessors meet the requirements set out.

Identifying when individual flats or maisonettes should be inspected and how these should be selected for inspection.

Our current fire risk assessment process already identifies areas where further internal in-dwelling investigation might be required.

This is generally considered outside the scope of the current legislation, the Regulatory Reform (Fire Safety) Order 2005 (FSO), which applies to common areas up to and including the front entrance doors to dwellings.

However the council is already rolling out an annual property check process, which as well as carrying out a tenancy check of the occupancy of the dwelling, includes the annual gas check for properties with gas appliances, and a check on the condition of the property, including whether any modifications have been made to the layout of the property. This would also identify any lifestyle issues that would impact on the fire safety of the individual property and the block.

This check however only applies to the council's tenanted properties and the council does not currently have a right of access to check the internal layout of leasehold properties without the owner's consent. This access issue is particularly important when the council is seeking to ensure the safety of all of its properties.

We note that the Secretary of State for Communities and Local Government has also been sent a letter pursuant to Rule 43 of the Coroners Rules (as amended), where it is recommended that Government provide clear guidance on

- The definition of "common parts" of buildings containing multiple domestic premises
- Inspection of a maisonette or flat which has been modified internally to determine whether compartmentation has been breached
- Inspection of a sample of flats or maisonettes to identify possible breaches of the compartment.

Clearly this issue is of national significance and subject to further exploration of the legal basis for inspection of all council properties and the response from the Department for Communities and Local Government, the council will continue with its current strategy.

Ensuring that assessors have access to relevant information about the design and construction of high rise residential buildings and refurbishment work carried out to enable an assessor to consider whether compartmentation is sufficient or might have been breached.

Prior to every fire risk assessment being undertaken, the surveyor will be provided with a comprehensive brief on the layout of the building, records of any recent major works and any other design features or characteristics relevant to the building and its fire safety.

Pursuant to the Construction Design Management Regulations, Health and Safety files arising out of major work projects will be electronically stored on the council's electronic document management system, Info@Work, at the end of May 2013. These will be accessible to all Housing and Community Services staff including the in-house fire risk assessors, and will provide them with the necessary information relating to the building's design, construction and any recent refurbishment or replacement.

In addition, as noted above the council also undertakes annual property checks to all tenanted dwellings whereby information can be obtained regarding any authorised and unauthorised changes to the internal construction and/or layout. This information will be shared with the in-house fire risk assessors.

Training of staff engaged in maintenance and refurbishment work on existing building

This recommendation has been completed but is also an ongoing training issue. Maintenance (officers and relevant trades in the repairs service) and operational staff have had fire safety awareness and technical training, and regular refresher training is to be made available.

In addition, a number of officers, both in the Maintenance and Compliance and Major Works Divisions, have been trained to a nationally accredited (NEBOSH - National Examination Board in Occupational Safety and Health) standard in relation to construction and fire safety.

In addition, the council has identified the need for its contractors, including consultants, engaged in major works to be suitably experienced and qualified in fire safety requirements. All of the council's lead designers and consultants will be required to attain NEBOSH accreditation, and all of the council's contractors engaged in major works and day to day maintenance will be required to regularly demonstrate sufficient knowledge, experience and qualification in fire safety issues and requirements in construction.

We also have an internal process by which the in-house fire safety team signs off major works and other works with fire safety implications.

In terms of Building Regulations and Building Control, we will review the current process to ensure that there is liaison with the council's Building Control team in all major work proposals and completions, and that all necessary consents and sign-offs are obtained.

We will also carry out a retrospective review of major works to ensure that the necessary consents are in place.

Access for emergency vehicles

Access for fire and other emergency vehicles is already a consideration within the fire risk assessment, to ensure that there is dedicated access space for emergency vehicles and that parking bays do not encroach on this space.

There is also a process by which the vehicles that may be causing access difficulties can be removed through the council's parking enforcement contract.

LBS has liaised with LFB and agreed a reporting and resolution process.

Retro fitting of sprinklers

It is recommended that your authority consider the question of retro fitting of sprinkler systems in high rise residential buildings.

The council has given this topic much consideration since receiving your recommendations. Since the inquest concluded, we have commissioned a survey of three of the council's typical high rise blocks. This initial research identified a number of issues for consideration which are set out below.

No right of access to leasehold properties

The council does not have an automatic right to access any leasehold dwelling to carry out retrofitting of sprinkler systems, and it is only with leaseholders' permission that they could be. This is an important issue because the effectiveness of a sprinkler system would be undermined if it was not installed to all individual properties in a block as it would leave parts of blocks unprotected, in some cases up to 50% of the block.

Any project to retrofit sprinklers would have to have the full cooperation and consent of all of the leaseholders in that block to enable the full application and continuity of works. The council would expect leaseholders to fund works benefiting their properties.

Fire safety precautions have hitherto been focused on communal areas, including front entrance doors, and we did not access flats and maisonettes to carry out internal surveys unless there was a clear need to. We are aware that there may be some instances where residents have made some modifications to the layout of the property which have not been notified to the council. We would require access to each property to ensure a comprehensive knowledge and understanding of the current room layouts and size of individual properties. A full internal stock condition survey would be required prior to retrofitting to ascertain if any of the original walls have been moved by residents. However because the council has no right of access to leasehold dwellings for this purpose, a full survey of all the dwellings in the blocks may not be possible. We therefore need to consider how to effectively carry out full stock condition surveys to all dwellings, including those sold leasehold.

Effect on amenity

Careful consideration would need to be given to the general routing of any pipework both within the communal areas and dwellings themselves ensuring that the piping is hidden behind fire proof coving or fire board partitions. In addition all residents would

need to be made aware that the painting of the sprinkler heads will render them ineffectual if a fire should occur. The industry standard CPVC IPS Blazemaster piping is coloured bright orange and is not particularly aesthetically pleasing but it is not recommended that it should be painted as some acrylic based paints will have a serious deleterious effect on the plastics causing them to fail.

The builders' works and electrical works required in support of any retrofit sprinkler programme would be disruptive as there would be a need for the coring/boring of holes through both ceilings and walls to facilitate the routing of both piping and fire signal cabling and the need for provision of a bespoke addressable fire alarm and pump power supplies by electrical contractors. There would also be required certified fire stopping, after all piping/cabling is complete, to all holes through the existing fire walls and floors.

It is also considered that asbestos would likely be disturbed and therefore would have to be carefully considered and managed. This could be costly and potentially disruptive to residents.

Need for full cost / benefit analysis

Based on the surveys carried out on the three blocks, the following works would be required:

- Initial design/drawings for the sprinkler system
- Structural Engineering report and recommendations for water storage tank, diamond/core drilling for services
- The initial structural works that are required to install services, physical core drilling and destructive/exposure works to accommodate the sprinkler system
- The supply and installation of sprinkler services (pipe work) to all areas required
- The supply and installation of electrical services to pumps and dwelling monitoring units
- The supply and installation of water tank and pumps
- The supply and installation of sprinkler monitoring panel
- The supply and installation of plaster boarding/boxing/profiles to all new sprinkler services, communal and residential areas
- Certificated fire stopping for all breaches formed in construction during works
- The supply of materials and labour to decorate all areas affected, residential and communal
- The supply and installation of a 60 minute fire rated service hatch to each and every dwelling for service/monitoring and isolation purposes

The social housing sector has looked to government for guidance on the retrofitting of sprinklers, but the response from the Department of Communities and Local Government (DCLG), to the Southampton Rule 43 letter suggests that, instead of taking a view on behalf of all social housing landlords, DCLG considers that decisions regarding the retrofitting or not of sprinkler systems to high rise building is for landlords to consider themselves.

There are differing opinions within the social housing sector and the fire industry as to whether compartmentation and other appropriate fire stopping (passive measures) and early warning systems (active measures), such as heat and smoke detection, are in themselves sufficient risk mitigation for high rise dwellings.

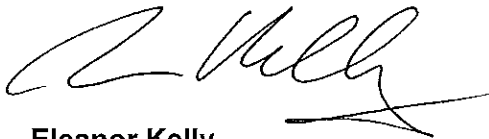
We are therefore of the view that the scale of the task and its full implications mean that further detailed consideration is required. The council will therefore undertake a full feasibility study which looks at the requirements for each of the blocks concerned, 145 in number, taking into account the complexities of the blocks, their design intent, and existing fire safety features and arrangements, as well as thorough research into best practice and guidance from the government and fire authorities.

We consider that a full feasibility study will be concluded within six months.

I trust that you find this response helpful and are assured that the council takes its fire safety responsibilities very seriously indeed.

Should you need any clarification or further information regarding this response please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E. Kelly', with a long horizontal flourish extending to the right.

Eleanor Kelly
CHIEF EXECUTIVE