The fire at Grenfell Tower has been an unimaginable tragedy and again highlights to all of us the threat from fire and our responsibility to continually improve fire safety. In July 2017, following the fire, cabinet received a report on the steps that were being taken to ensure the fire safety of the council’s residential, commercial and office accommodation and that of other public council buildings. Officers also reported on the efforts that were being made to collate fire safety information and to seek confirmation of fire risk assessments for non-council residential buildings. This report updates cabinet on progress that has been made since the last cabinet report on fire safety. We had already taken extensive action to improve fire safety in our tower blocks but in the wake of the fire at Grenfell, the council must consider any further fire safety implications. This report sets out progress on inspecting residential buildings with cladding, non-residential council sites and buildings owned or managed by housing associations. The report also updates cabinet on the progress we have made on the Ledbury Estate. As well as this, we are reporting back on fire safety measures that we have got in place to ensure the safety of our residents and the work we are doing to engage with communities across the borough about home fire safety and minimising fire risk.

Southwark has made huge improvements in fire safety, and this report updates on the most recent work that we have done. However, we must never be complacent and must always ensure that fire safety is at the forefront of our minds. Working with the Government, Fire Brigade and other partners we will not take anything for granted.

RECOMMENDATION

1. To note the progress since the last cabinet report on fire safety.

BACKGROUND INFORMATION

2. Following the devastating fire in Kensington and Chelsea at Grenfell Tower, officers from across the council met to consider fire safety implications for our own residential housing stock, office accommodation, leisure centres and libraries, commercial property portfolio and other public buildings.

3. We also considered the role the council had to play in determining the safety of non-council buildings, and how the council might give reassurance to residents living in other rented accommodation owned by housing association providers, private sector landlords, or managed by managing agents assuming landlord responsibilities.
KEY ISSUES FOR CONSIDERATION

Council residential buildings with cladding

4. As previously reported to the cabinet, just one council residential building, Medina House at, Rye Hill Estate, had cladding installed where testing by Bureau Veritas concluded that the external surface is likely to prevent the spread of fire, and that provided the insulation is sealed within the stainless steel facings, it should remain completely protected.

5. On 28 July 2017, a close-up visual inspection of the cladding was carried out using a cherry picker. The fire safety surveyor inspected the panels to ensure that there were no breaches which could cause spread in the event of a fire. Based on this visual inspection, we are satisfied that the panels are completely intact. The next steps are a review of the cladding to see whether we should remove it or replace it entirely with a new system.

6. The LFB have been advised of the council’s findings and have served a notice of deficiency (NOD) on the council. An NOD is a formal notification, akin to a warning letter, for any non-compliance around fire safety issues and requires a response within a defined timescale. The council’s fire safety manager has addressed all of the issues within the NOD and the LFB has closed the notice and issued a satisfactory letter.

The Ledbury Towers

7. As previously reported to cabinet, the council commissioned Arup to check whether the four tower blocks at the Ledbury Estate satisfied the Government recommendations for robustness of large panel system tower blocks with piped gas, set out in The Building Regulations 2010 with recommendations in the BRE 2012 best practice guidance (BR 511).

8. The blocks were built by Taylor Woodrow Anglian between 1968 and 1971 and all four tower blocks have piped gas. Arup searched multiple sources but have been unable to locate any drawings on record showing construction details or details of any strengthening for the blocks at Ledbury Estate.

9. In the absence of this information Arup have carried out exploratory works to the two vacant flats (one in Bromyard and one in Skenfrith), concentrating on the flank wall as this would be the most vulnerable in the event of an explosion.

10. These investigations showed that the flank walls are not robust enough, meaning the building is significantly below the Government recommendations (referred to above) for buildings with piped gas.

11. Arup advised that strengthening the structure to provide adequate robustness for piped gas is likely to require the strengthening of wall and floor elements in addition to the joints and thus is likely to be impractical. The alternative is to remove piped gas from the buildings; this would take away the immediate risk as well as significantly reducing the amount of strengthening required.

12. Arup advised the council on 10 August 2017. In the absence of construction details, the council asked Arup to continue with their intrusive investigations in order to build up as full a picture as possible of the structure. This will identify the
full extent of the structural works required to meet Government recommendations.

13. On 10 August 2017, the council wrote to all residents advising them that based on Arup’s structural investigations, that the information we have regarding the history of the blocks may not be correct, and we therefore took the decision to turn off the gas supply to all Ledbury tower blocks immediately, and have asked Southern Gas Network to do so.

14. A number of immediate short-term measures were put in place to support residents including:

- Immediate provision of temporary hotplates to prepare hot meals
- An upfront payment to cover any increase in electricity bills as a result of the temporary measures.
- Free access for affected residents to have free access to the shower facilities at any of the Southwark leisure centres, including the nearest, Peckham Leisure Centre.
- Identification of a solution to install a single electrical water heater in each flat for bathroom and kitchen needs
- A brand new electric oven for anyone with a gas oven.

15. On this cabinet meeting agenda is a paper setting out the appointment of Keepmoat to carry out emergency works to the Ledbury Towers. Following the conclusion of the Arup investigations, there will be a further report to cabinet setting out the options for the longer-term strategy for the refurbishment of the Ledbury Towers.

Housing association buildings

16. The strategic director housing and modernisation wrote to all housing associations with properties in the borough on 25 July asking them to confirm timely fire risk assessments for their buildings prior to this report to cabinet.

17. At the time of writing, the council has received confirmation from Hyde, Clarion Housing Group, Wandle, L&Q, Notting Hill Housing Group, Peabody and Optivo.

Corporate facilities management

18. CFM identified 8 council office buildings for further investigation, outlined below. Investigations were carried out on 5 and 6 July 2017. Investigations determined that no properties had cladding containing ACMs installed.

Precautionary requirements

19. CFM undertook a review of the existing fire risk assessments (FRAs) and emergency plans within the above properties, there are no high risk works outstanding, all remedial work recommendations or further actions have been planned and prioritised.

20. As a precaution CFM have recommended checking the fire compartmentation within Canada Water Library and 160 Tooley Street. This action remains outstanding and is programmed for September 2017. CFM are confident that due to the build quality these buildings do not present a risk directly linked to the
21. CFM will continue to provide close support, working closely with site staff at the Anchor Care homes, reviewing the FRAs, emergency plans and evacuation procedures to ensure occupants that the means of escape are suitable and sufficient due to some occupants having impairments which could slow down the evacuation process in the event of a fire.

22. CFM continue to provide support to residential and day care centres. Following a review of the FRA’s, there are no high risk remedial works required. Emergency plans and fire evacuations are being revised and supported as required.

23. For supported people, residential nursing, learning and development sites that are not under the CFM corporate compliance programme, CFM have met with managers on 1 August and offered additional support to buildings that are operated under a lease agreement. A review of all FRAs showed two sites requiring a new assessment which includes a review of the FRA and emergency planning and are booked for September 2017.

Fire safety measures in council dwellings

24. The council has a rolling programme of FRAs and performance for completion of these within target time is included in the departmental performance monitor which is reviewed on a monthly basis by the Housing and Modernisation departmental management team, and also by the Cabinet Member for Housing. Performance is currently green with 100% of FRAs completed within target time.

25. However, in view of the current fire safety concerns, the fire safety team, irrespective of when the last FRA was carried out, has been asked to carry out a new FRA for each of our 174 tower blocks, together with the repairs compliance team, so that any follow on repair issues can be immediately ordered.

26. At the same time, resident services officers will continue to carry out frequent checks of these blocks to address any management issues such as, dumped rubbish, obstructed access or general clutter.

27. The council has also engaged the services of an industry expert independent consultancy, BB7, to undertake an independent fire risk management audit and a top down review of the council’s fire safety processes and procedures. This will include a comprehensive audit of Southwark Council’s fire risk management System and an audit of the organisations fire risk assessment programme.

28. BB7 have commenced the audit which follows a systematic, independent and documented process for obtaining evidence and evaluating it objectively to determine the extent to which the organisation complies with the requirements of legislation and national guidance.

29. The review of fire risk assessments will consider a mix of each type of location, along with a cross section if storeys and unit size and will include hostels, travellers sites, sheltered housing schemes, barrow stores, flat conversions and purpose build blocks ranging from low rise to the highest rise.

30. The sample locations will be selected randomly by BB7 and will comprise 36 locations in total. BB7 continued this work throughout August 2017 and will
report back to the council through overview and scrutiny committee in September 2017.

Community awareness and engagement

31. LFB carry out routine fire safety community engagement and awareness activities across the borough and undertake free home fire safety visits that can be booked by residents at any time. The visits consist of firefighters visiting residents in their homes and providing bespoke advice on how to minimise the risk of fire. This can include fitting of free smoke alarms and recommendations on other equipment. Where people may have increased risk of fire due to for example a specific health or lifestyle factor (for example being a smoker, a hoarder, having an alcohol dependency or suffering from mobility issues that make escape more difficult) then LFB encourage booking of a visit at which they will undertake a risk assessment and advise accordingly. Officers in the Communities team have offered support to LFB in arranging a further programme of wider community awareness events across the borough.

32. The council has published a special edition of Southwark Life focusing on fire safety, to go to every home in the borough. This reinforces key messages around fire safety, and seeks to reassure residents of our commitment to making all our homes as safe as they can be. We have also developed a specific area on our website with key messages and frequently asked questions, to keep residents up to date.

33. A fire safety scrutiny panel has been convened and tenant representatives from across the borough are working with Southwark Council to ensure that fire safety is being delivered and communicated effectively. To date one meeting has taken place and it is expected that at least three more meetings in the next nine weeks will help to formulate and deliver high quality fire safety to Southwark homes.

Fire safety in schools

34. The council has compiled a spreadsheet for all school buildings that have been the subject of capital works in the last ten years to assess the safety of materials used in the construction. This information is based on officer knowledge, specifications of works carried out and information received from contractors; it includes the BSF programme where some limited cladding was used in construction.

35. In all cases, verification is being sought or has been obtained from the contractors on the actual materials used and methods of construction including checks on fire stops. Further checks are ongoing on previous years’ capital programmes to ensure that the list is comprehensive and captures all major works.

36. The spreadsheet includes information on the fire safety strategy, confirmation of checks on any cladding materials, the installation of sprinklers (where recommended in the fire safety strategy) and other measures in design to manage compartmentation of spaces and means of escape routes. This is an ongoing process of building up a data base for schools. If there are any concerns these are immediately flagged up for action.
37. It is worth noting that the DfE have focused their checks on schools above four stories but the council is arranging to carry out more in depth checks as follows.

38. The council’s facilities management team (CFM) wrote to all maintained schools, before they broke up for the summer holiday, seeking key information on fire risk assessments and compliance checks. The answers supplied by schools will help to prioritise a programme of school by school inspections that will start in September and be completed by the October half term, using a fire safety specialist.

39. Concurrently, CFM are developing a statutory compliance audit regime. This will be implemented in September 2017. Schools will have to evidence to the council that they are commissioning the required checks but they will also be given the opportunity to buy into a CFM service to carry out these checks and certification as necessary on their behalf. From the returns submitted so far, it is likely that there will be a need to support the investment of upgrades to fire alarms and repairs to fire doors.

40. The council is also seeking reassurance on compliance from all non council maintained schools (academies, free schools, diocesan and VA schools) by seeking copies of documentation and information with regards to combustible material checks. Whilst these schools are not under the control of the council, it will help to ensure that the council has a comprehensive picture and can advise where necessary. Some academies have also been asked by the DfE to submit samples of any cladding materials used on their schools for testing.

41. In addition to these requests for information, all schools in the borough have been asked by the DfE to confirm either directly (or via the council in the case of maintained schools), their compliance in terms of termly fire drills and weekly fire alarm tests. The director of education has reminded schools that it is the responsibility of the headteacher and governing body to ensure that fire drills and tests are carried out.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

42. The Regulatory Reform (Fire Safety) Order 2005 places duties upon the council as the owner or user of premises and as an employer of people working in buildings, to maintain fire safe premises.

43. The Localism Act 2011 gives councils a general power of competence whereby they have power to do anything that individuals generally may do. This would allow the council to set up a register of fire risk assessments for buildings owned by housing association providers and managing agents of private residential properties.

44. This power can be used even if legislation already exists that allows a local authority to do the same thing. However the general power of competence does not enable a local authority to do anything which it was restricted or prevented from doing under that previous legislation. The director of law and democracy is not aware of any pre-commencement or other limitation.
45. However the director of law and democracy is not aware of any power to compel compliance.

46. The Housing Act 2004 requires houses in multiple occupation (HMO) of a certain size to be licensed and gives discretion to councils to require other types of private rented housing to be licensed. Southwark introduced an additional licensing scheme for HMOs and a selective scheme for other types of private rented housing in certain areas in 2015.

47. The property licence standard conditions require compliance with Southwark’s HMO standards, LACORS fire guidance and Southwark Private Rental Standards. If the property is not a single self contained dwelling it must have a Fire Risk Assessment that complies with the Regulatory Reform (Fire Safety) Order 2005. The council may require licence applicants to produce documentary evidence of compliance with licence requirements.

48. In order to comply with the Equalities Act with regard to buildings under our control in identifying and carrying out any works associated with fire safety, officers must to identify any persons, whether they are our tenants, leaseholders, private tenants or others who may have special needs or requirements that affected by the works.

Strategic Director of Finance and Governance (Ref: 17/026)

49. This report sets out the measures currently being undertaken to ensure fire safety across the council’s own residential, commercial and operational estate and the wider public domain. Since 2009 the council has invested around £62m in fire prevention measures to its housing and operational estate and continues to do so through its major works programmes (WDS and QHIP). This includes the installation of sprinklers to all sheltered and hostel accommodation and the on-going installation of LD2 smoke alarms to all residential council properties (including ex-council stock).

50. However, following the recent tragedy, the council is reviewing and re-doubling its efforts in this regard. Much work has already been undertaken to ensure the council’s buildings are compliant, but further investigation is required and will be concluded as a matter of urgency. At this stage, it is not possible to quantify what further measures will be required or the potential cost, but the council is committed to taking all necessary steps to ensure the safety of tenants and residents.

51. The latest capital programme monitor/refresh report (elsewhere on this agenda) indicates a shortfall of resources for both the council’s general fund and housing investment programmes over the medium-term. These programmes are influenced by the scale and timing of resources available from grants, S106/CIL, capital receipts and revenue support and require careful management to ensure commitments can be met. Given the current circumstances and urgency to implement any high priority actions arising from the review, it is possible that the programmes as currently planned may be subject to alteration over the coming months.
BACKGROUND DOCUMENTS

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Safety Schedule</td>
<td>160 Tooley St, London SE1 2QG</td>
<td>Laura Wannop Tel: 020 7525 5352</td>
</tr>
</tbody>
</table>

Link:

APPENDICES

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

AUDIT TRAIL

<table>
<thead>
<tr>
<th>Cabinet Member</th>
<th>Councillor Peter John, Leader of the Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Officer</td>
<td>Gerri Scott, Strategic Director of Housing and Modernisation</td>
</tr>
<tr>
<td>Report Author</td>
<td>Gerri Scott, Strategic Director of Housing and Modernisation</td>
</tr>
<tr>
<td>Version</td>
<td>Final</td>
</tr>
<tr>
<td>Dated</td>
<td>7 September 2017</td>
</tr>
<tr>
<td>Key Decision?</td>
<td>No</td>
</tr>
</tbody>
</table>

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

<table>
<thead>
<tr>
<th>Officer Title</th>
<th>Comments Sought</th>
<th>Comments included</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic Director of Finance and Governance</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Director of Law and Democracy</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Cabinet Member</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Date final report sent to Constitutional Team 7 September 2017