

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 4 February 2020	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Review of Grenfell Inquiry Phase 1 Recommendations	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Kieron Williams, Housing Management and Modernisation	

## **FOREWORD - COUNCILLOR KIERON WILLIAMS, CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION**

Ensuring our residents are safe is our first priority as a landlord. Over the last decade we have invested £62 million to improve fire safety across all of our homes, working with our residents and the Fire Service to continuously improve our approach to fire safety.

After the tragic loss of life in the fire at Lakanal House in 2009 the council had to learn lessons. We have worked hard to do this and to take the action needed to prevent a tragedy of this kind happening again in our borough, putting in place one of the most robust approaches to fire safety of any council in the country.

The devastating fire at Grenfell Tower in 2017 has required our whole nation to look again at fire safety. The Grenfell Inquiry is looking in depth at how this tragedy happened and the fundamental changes that need to happen to keep us all safe. The report from the first phase of the Inquiry has now been published. It looks at what happened on the night of the fire. It is deeply upsetting reading that highlights many things that must change.

In Southwark we have already undertaken a further fundamental review of our approach to fire safety following the Grenfell fire, strengthening our policies and procedures, making all of our fire risk assessments publicly available and investing further in fire safety work.

This first report from the Grenfell Inquiry recommends further fundamental changes to how fire safety in the Britain is approached, including recommendations for Government, the fire service and landlords. The following pages set out what these recommendations mean for Southwark, including those recommendations that we have already met, those that we are working to meet and those that will require changes to the law and or substantial new investment for us to be able to implement them. It is important to say these are all recommendations from the inquiry at this point. For many of them to be taken forward we will need the government to take action. As a council we will push for that action to be taken by government as quickly as possible in consultation with all affected.

## **RECOMMENDATION**

1. That the cabinet note the contents of this report.

## **BACKGROUND INFORMATION**

2. Following the devastating fire at Grenfell Tower in 2017, the Government commissioned a public inquiry into the events leading up to and during the tragedy. A report with findings from Phase 1 of the Inquiry has now been published and the document contains a number of recommendations which, if they become legislation, will bring about significant changes to the way fire safety is managed and fires are responded to in the UK. This will have a significant impact on Southwark, the people who live here, and the council.
3. Phase 1 of the inquiry focused on the factual narrative of the events on the night of 14 June 2017. The findings of this phase were published on 30 October. Phase 2 will now follow and will focus on the remainder of the list of issues including the contribution of events and actions that took place before the fire.
4. The Mayor of London has very recently published a response to phase one of the inquiry. It was published at the time of finalising this report, and the council will carefully consider the Mayor's response to the inquiry report's recommendations and will continue to work closely with the LFB, which is the primary focus of the report, to further strengthen our productive and close working partnership that is already helping to keep our residents safe.
5. This report summarises our progress to date in improving the fire safety of council homes, and our position in response to the relevant recommendations from Phase 1 of the Inquiry.
6. The recommendations from the inquiry include a number of actions for the emergency services, which have not been included in this report.

## **KEY ISSUES FOR CONSIDERATION**

### **Grenfell inquiry phase 1 recommendations**

7. The council has identified the recommendations in Phase 1 of the Inquiry that apply or relate to local government, and we set out below the implications for the council of implementing those. We have categorized them into three distinct sections – measures already in place; measures that would require significant investment or change to introduce; and measures with national implications that require further thought/consideration by the government and sector. By considering all the implications now, Southwark will be well-placed to respond to any changes to fire safety policy and procedure that are announced by government following Phase 1 of the Inquiry.

### **Measures already in place**

8. In 2009, Southwark experienced the tragedy of a fire in Lakanal House on the Sceaux Gardens Estate. In the aftermath of this event, the Coroner's report made a number of recommendations to the council to improve fire safety in its residential buildings. In response the council has invested £62m to improve the safety of all our council properties.
9. Our priority is always the safety of residents and we have done a huge amount of work, considering the best way to make residents, across our large and diverse estate, more safe. We work closely with the London Fire Brigade to carry out Fire Risk Assessments for all our blocks, develop our fire safety plans, and

consider the needs of each block. Our focus is on preventing fires, having early warning systems (heat and smoke alarms in every habitable room) and preventing those that do occur from spreading through better compartmentation, which experts agree should be the focus. Since our fire safety works and fire risk assessments of all our blocks were carried out after Lakanal, several fires have started but been contained to one flat or even room because of the fire safety works we've done.

10. In response to the Grenfell tragedy we challenged our plans and processes again. We reviewed and revisited all our tower blocks and carried out new fire risk assessments of each one, identifying and planning any necessary improvements or works.
11. Because of the importance we place as a council on fire safety, there are a number of recommendations within the Phase 1 report that are already council policy/procedure, or that we are well underway to addressing. These are as follows:

*'that the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue services with up-to-date plans in both paper and electronic form of every floor of the building identifying the location of key fire safety systems'*

- We provided the London Fire Brigade (LFB) with comprehensive building plans for our blocks that are 5 storeys and above, following the Lakanal House fire in 2009.

*'that the owner and manager of every high-rise residential building be required by law to carry out regular inspections of any lifts that are designed to be used by firefighters in an emergency and to report the results of such inspections to their local fire and rescue service at monthly intervals'*

- The council conducts monthly testing and inspections and twice yearly insurance inspections on all our lifts. Only 3 of the lifts currently in our council blocks are fire fighting lifts (those that can be used by LFB for fire fighting operations) but approximately 90% of all other lifts have a facility to allow fire fighters to control them.

*'that the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue service with information about the design of its external walls together with details of the materials of which they are constructed and to inform the fire and rescue service of any material changes made to them'*

- The council has already begun a programme of inspections to identify and record (and in some cases remove) the materials used in the external walls of all high rise blocks and this will form part of a response to a request for information from the government. Two contractors have been appointed to conduct inspections and the programme is due to finish in March 2020.

*'that in all high-rise buildings floor numbers be clearly marked on each landing within the stairways and in a prominent place in all lobbies in such a way as to be visible both in normal conditions and in low lighting or smoky conditions'*

- Southwark improved the signage in all its blocks following the Lakanal House fire. All high rise blocks were provided with floor number and flat number signage, on each floor and in ground floor lobbies.

*‘that all those who have responsibility in whatever capacity for the condition of the entrance doors to individual flats in high-rise residential buildings, whose external walls incorporate unsafe cladding, be required by law to ensure that such doors comply with current standards’*

- LBS do not have any buildings with ‘unsafe cladding’, as described by MHCLG

*‘that the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) carry out an urgent inspection of all fire doors to ensure that they comply with applicable legislative standards’*

- All fire doors within flat blocks are considered as part of the Fire Risk Assessment (FRA) process and any action required is passed to the relevant team for delivery (Major Works, Improvements, and Repairs etc.) This is an ongoing exercise.

### **Measures requiring process change and investment**

12. Southwark Council always strives to ensure its residents are as safe as possible in their homes, and we committed after the Grenfell fire that we would take on board any learning from the tragedy to inform our future policies and procedures. We will do this, but should note that several of the Phase 1 recommendations are for substantial changes to the way fire safety is managed in the UK and will require changes to procedure, legislation and in some cases considerable additional resource and investment.

13. Recommendations that will require process change and investment include:

*‘to ensure that the building contains a premises information box, the contents of which must include a copy of the up-to-date floor plans and information about the nature of any lift intended for use by the fire and rescue services’*

- The council currently has these boxes in sheltered/supported housing units, hostels and in the blocks on the Ledbury Estate. Rolling this out to all our buildings will require considerable resource. We will be working with the LFB to determine what information it requires in the PIB and will engage with residents with regards to the personal information the PIB may contain.

*‘that the owner and manager of every residential building containing separate dwellings (whether or not it is a high-rise building) be required by law to provide fire safety instructions (including instructions for evacuation) in a form that the occupants of the building can reasonably be expected to understand, taking into account the nature of the building and their knowledge of the occupants’*

- Fire action notices with simple instructions are provided in all our high-rise blocks. Residents in our taller or more complex blocks are issued with Fire Safety Information Packs. The relevant information is also provided as part

of any new tenancy. Developing and providing this information to residents in all council properties would take time and have considerable resource implications for our fire safety team.

*'that the owner and manager of every high-rise residential building be required by law to carry out regular tests of the mechanism which allows firefighters to take control of the lifts and to inform their local fire and rescue service at monthly intervals that they have done so'*

- The test is conducted as part of the servicing mentioned previously but the data is only recorded internally at the council. We will need to work with the London Fire Brigade to establish a method for sharing this data.

*'that the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) be required by law to carry out checks at not less than three-monthly intervals to ensure that all fire doors are fitted with effective self-closing devices in working order'*

14. The implications of this recommendation for any large landlord are substantial. Southwark has more than 100,000 fire doors in our blocks, which would mean we would have to inspect more than 33,000 doors per month. To carry out checks at much higher frequency, the council would need to increase the size of its team which would require significant investment. It is also important to note that most of the fire doors in block are doors to individual homes and that the council would only be able to fully inspect these by arranging access with each tenant or homeowner.

#### **Measures requiring systematic, national policy change**

15. Whilst Southwark will do all it can to respond positively to all the recommendations from this inquiry and to keep our residents safe, some of the recommended measures would require fundamental changes to the rules and procedures of other organisations. Many would also be particularly challenging for an authority with the very large number of homes that Southwark has as the largest council landlord in London.
16. We have particular concerns about the recommendations that relate to evacuation, as councils are not currently legally responsible for evacuation. The Fire and Rescue Services Act 2004 places primacy of control of a fire with the fire service who can determine if an emergency evacuation is required and when resources allow they will assist with evacuations. It needs to be made very clear that the only people who should enter a building which is on fire are firefighters.
17. At this time, and integral to all discussions on the matter, the current guidance for the Stay Put strategy is still in place for most high-rise blocks, unless there are unusual circumstances where the building's integrity has been compromised. The Stay Put strategy relies on the fact that all buildings, in accordance with up to date FRAs and council responsibility, should be sound, so that smoke and fire are restricted to 'compartments' and cannot spread. Most fires start inside people's homes, and are contained within them, but sometimes smoke finds its way into the communal areas and there is a period of time or resilience where it cannot spread into or between the dwellings. Therefore, staying inside a property while awaiting assistance from the Fire Brigade should be safer than entering a smoke-filled stairwell. This strategy is agreed with the fire brigade for most individual high-rise blocks. When there is a fire inside a property, the person

should attempt to escape if they are able to do so. If they are unable to, it is the fire brigade's responsibility to assist them, not the council's – council officers are not equipped to enter burning buildings, and neither are they based on site in our residential buildings.

18. The council takes the Fire Brigade's advice not to encourage individuals to evacuate a building, for their own safety, unless their own flat is on fire, or there are special circumstances and the Stay Put policy has been changed.
19. Personal Emergency Evacuation Plans (PEEPS) are provided to any individuals living in either a building which does not have a Stay Put policy attached to it (such as Ledbury Towers) due to structural problems, or in supported housing where tenants have on-site staff and effective sounding (alarm) systems or adequate fire marshals to alert residents to the evacuation. The fire marshals do not assist people out of the building during a fire; this can only be carried out by trained firefighters. This is not provided in general needs accommodation because it relies on having staff members available to raise the alarm on each floor, and a register of who is inside the building at any one time – in Southwark Council's case, this would be for thousands of properties.
20. We would also struggle to hold real-time information about the mobility of all our residents. The council has a strategy for providing assistance where specific needs are identified but does not hold information of this nature for every resident in its high rise blocks. Indeed, residents are under no obligation to provide this data to the council, so government assistance in this would be necessary. Even if it were possible for the council to gather information about every resident in a block, this would not include any visitors with impaired ability to self evacuate, or any temporary impairments that otherwise able-bodied persons may develop, such as a broken leg. During an emergency, council officers are not trained nor equipped to evacuate people from a burning building; that responsibility sits with the fire brigade.
21. The recommendations below all relate to evacuation. For these to be implemented, there would need to be a simultaneous change to Stay Put policy, and a review nationally of where responsibility for evacuation lies, and how it will be resourced going forwards.

*that the owner and manager of every high-rise residential building be required by law to prepare personal emergency evacuation plans (PEEPs) for all residents whose ability to self-evacuate may be compromised (such as persons with reduced mobility or cognition)'*

*'that the owner and manager of every high-rise residential building be required by law to include up-to-date information about persons with reduced mobility and their associated PEEPs in the premises information box'*

*'that the owner and manager of every high-rise residential building be required by law to draw up and keep under regular review evacuation plans, copies of which are to be provided in electronic and paper form to their local fire and rescue service and placed in an information box on the premises'*

*'that all high-rise residential buildings (both those already in existence and those built in the future) be equipped with facilities for use by the fire and rescue services enabling them to send an evacuation signal to the whole or a selected part of the building by means of sounders or similar devices'*

22. This is only the first phase report and it will be followed by a more in depth and far reaching report at Phase 2. This is likely to result in recommendations which require additional resources to deliver The relevant subjects to be examined in more detail in the Phase 2 report will include, and may have national impact, are:
- Grenfell Tower's original design, construction, composition (completed 1974)
  - Subsequent modifications prior to the most recent
  - Modifications to the interior of the building 2012-2016
  - Modifications to the exterior of the building 2012-2016 (including cladding and insulation)
  - The fire and safety measures within the building at the time of the fire
  - Inspections
  - Governance/Management
  - Communications with residents
  - Fire advice to residents 2012 to 14 June 2017
  - Response to Recommendations
  - The aftermath.
23. A further update will be presented to cabinet after the Phase 2 report has been released, which will also include further consideration of the retro fit of sprinklers in high rise blocks.

#### **Private blocks**

24. The council responded to MHCLG's consultation on Building a Safer Future in July 2019 expressing a number of areas of concern.
25. Partly in response to this and the first draft of the Hackitt Review, a working group to monitor Built Environment Fire Safety was set up in the Planning and Building Control Department. The working group will keep a close watch on developments arising from the report and any subsequent legislation on such matters as height thresholds.
26. One aspect of the Hackitt Review is the reference to an inadequate regulatory oversight and states that current sanctions and enforcement tools are weak and significantly under-utilised in practice. The working group will maintain a watching brief on whether additional resources will be needed as a result of any government reforms and what can be done to mitigate the impact on the council's expenditure.
27. The working group is also investigating the advantages of requiring Fire Strategy Statements from applicants for relevant developments which would include a holistic fire protection including the building envelope, protection of occupants (compartmentation, sprinklers etc.) and safe evacuation.
28. Specialist advice will be required to assess the submitted Fire Strategy Statements for robustness as well as site and project specificity (like other specialist advice this will be chargeable to the Applicant). If it is agreed to proceed with Fire Strategy Statements it would be locked into a Gateway 2 – Implementation either by condition or S106 Obligation; the latter carries a greater weight. However before this can be incorporated into any S106 Agreement as an obligation (and in the absence of clarity from central govt.) the working group will

need to define what is realistically possible to be confirmed and signed-off at implementation of a proposal.

29. The working group in response to a request this month from MHCLG has sent out External Wall System questionnaires to all private building owners. This data collection will be entered on to the government's DELTA system as soon as we receive them.
30. In order to develop a closer working relationship with other housing providers within Southwark, the council has organised a fire safety event which will take place at the end of January 2020. This will allow the council to share its approach to fire safety, hear how other providers are managing their buildings and offer guidance and support to organisations providing homes to the residents of Southwark. Working together with these providers will help to improve the safety of residents across the borough.

### **Next steps**

31. The implications of the Phase 1 recommendations will inevitably be wide-reaching for local government and we are conscious about the level of change that may be required. Rather than wait for the full report and government response, Southwark is already taking a proactive approach to improving our processes based on emerging learning from the Grenfell tragedy. However, it is clear that some recommendations require a sector-led response.
32. Representatives of the council regularly attend the London Councils' Fire Strategy Group meetings, to share best practice and discuss approaches to all aspects of fire safety in housing with representatives of other Local Authorities in London. The council is also a member of the Social Housing Fire Strategy Group (SHFSG) which connects councils and other social landlords across the country.
33. We will continue to work with other councils and through our representative bodies, including London Councils and the Local Government Association, to ensure the government is aware of the implications of the recommendations for the sector, and to release appropriate funding to support councils in making the associated improvements and changes.

### **Policy implications**

34. The Council Plan sets out the council's ambition for Southwark to be a great place to live with clean, green and safe communities. Fire safety is central to all that we do, and while there are no immediate policy implications arising out of the phase 1 recommendations, there may be policy implications in the future.

### **Community impact statement**

35. There are no present impacts on the community as currently the phase 1 inquiry has only made a series of recommendations. However as and when these recommendations become necessary to implement, there will be a high impact across all parts of the community. As a result, it is important that Southwark Council effectively understands the community impact and works with community organisations and local communities to develop and deliver potential solutions.

### **Resource implications**

36. N/a

### **Legal implications**

37. Addressed under paragraph 40.

### **Financial implications**

38. Addressed under paragraph 41.

### **Consultation**

39. Addressed under paragraph 35.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

40. The report recommends that cabinet notes the review of the Grenfell Inquiry Phase 1 recommendations. There are no significant legal implications arising at this stage. The director of law and democracy and her staff will provide advice to officers on any legal and governance issues impacting on the council's responsibility for the fire safety of council homes arising from the Grenfell Inquiry recommendations.

### **Strategic Director of Finance and Governance (H&M19/140)**

41. The strategic director of finance and governance notes the report and next steps arising from phase 1 of the public inquiry into the Grenfell tragedy. Notwithstanding the extent of the council's investment in fire safety since Lakanal in 2009, there are no additional financial implications arising from the report that are outside of the existing budgetary provisions held. However, as guidance and regulations governing fire safety change and become more stringent for building owners, there will inevitably be a further significant resource requirement which will be assessed and reported at the earliest opportunity. The council will continue to work with representative bodies to lobby government for the funding necessary to address the new requirements. All costs associated with fire safety in the council's housing stock continue to be met from the Housing Revenue Account and Housing Investment Programme.

## **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Grenfell Inquire Phase 1 report	160 Tooley St SE1 2QH	Tony Hunter Tel: 020 7525 1756
<b>Link:</b> <a href="https://www.grenfelltowerinquiry.org.uk/phase-1-report">https://www.grenfelltowerinquiry.org.uk/phase-1-report</a>		

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Kieron Williams, Housing Management and Modernisation		
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