

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (Place)

to
Cabinet

on
13 March 2018

Report prepared by: Mark Murphy, Group Manager –
Property and Estate Management

Fire Safety Review (Interim Report)

Place Scrutiny Committee
Executive Councillors: Cllr Flewitt

Part 1 Public Agenda Item

1. Purpose of Report

This report sets out the interim results of the Council's Fire Safety Review, which was established following the Grenfell Tower fire on the 14th June 2017.

This is an interim report as Inquiries established following the Grenfell Tower fire (Grenfell Tower Inquiry and the Independent Review of Building Regulations and Fire Safety) will not conclude their findings until later in 2018 (or beyond), although the latter provided an Interim Report on the 18th December 2017.

2. Recommendations

2.1. **Note and endorse the work undertaken by the Council and South Essex Homes in respect to Fire Safety.**

2.2. **That a further update be provided to Cabinet to summer 2018.**

3. Background

3.1 The Council immediately commissioned a Fire Safety Review following the tragedy, which occurred as a result of the fire at Grenfell Tower. The Review Group comprises representatives of the Council, South Essex Homes and Essex County Fire and Rescue Service. In addition, the Council established an internal Fire Safety Meeting Group, chaired by the Deputy Chief Executive (Place) to examine any Council-specific actions identified as a result of the Review and to co-ordinate responses sought by Government Departments.

Policies and Procedures

- 3.2 The Council and South Essex Homes have both updated their internal Fire Safety Code of Practice documents and have also reviewed their Fire Risk Assessment documentation in dialogue with Essex County Fire and Rescue Service. All properties have been confirmed as having up to date Fire Risk Assessments.
- 3.3 The Council has amended its approach to risk assessing its operational property stock of approximately 400 buildings and structures as follows:
- Buildings are considered HIGH priority if they meet one of the following criteria:
 - They are defined as ‘tall’ buildings by building regulations;
 - They have a peak occupancy level of over 500 people;
 - They are occupied by ‘vulnerable’ clients.
 - Buildings are consider MEDIUM priority if they meet one of the following criteria:
 - They have a peak occupancy level of between 50 and 499 people;
 - They are occupied by more than one tenant.
 - All other buildings are considered LOW priority.
- 3.4 All high and medium priority buildings are subject to a full fire risk assessment on an annual basis, whilst fire risk assessments for low priority buildings are undertaken every other year with a desk top review in the intervening years. Operational buildings categorised as high priority are: Civic One; Southend Pier; Southend Tennis and Leisure Centre; Cliffs Pavilion; Priory House; Delaware House; the Viking Centre and Project 49. In addition, whilst it does not fully meet any of the criteria the Palace Theatre has been placed in the high priority category given its potential large single room occupancy and the nature of the building and its operational use.
- 3.5 South Essex Homes has adopted a similar risk assessment approach. Following extensive discussions with Essex County Fire and Rescue Service a ‘Stay Put’ Policy continues to be considered the most effective policy to ensure residents are safely evacuated in the event of a fire in any of the Association’s high rise residential blocks. Essex County Fire and Rescue Service has completed a programme of visiting and door knocking in every high rise (over ten storeys) residential building in the Borough and is in the process of undertaking a similar exercise for all building of five storeys or higher. Essex County Fire and Rescue Service are also visiting all buildings with smoke vents to confirm they are functioning correctly. All Council and South Essex Homes buildings with smoke vents have been checked and it has been confirmed that the vents are operating correctly.
- 3.6 The Council’s Emergency Planning Officer is planning a ‘table top’ exercise to consider how the Council and its partners would evacuate a tower block and provide support and accommodation for those affected. This exercise will be undertaken later in 2018. This will enable a thorough evaluation of the Council’s

emergency response plans in respect to such an incident. South Essex Homes is also planning a live incident training session in spring 2018.

Capital Investments

- 3.7 All of the Council's operational buildings, alongside those managed by South Essex Homes, meet the regulatory standards in place when they were constructed, extended or altered and have up to date and reviewed Fire Risk Assessments in place.
- 3.8 It is the aim of the Council and South Essex Homes to progressively bring their properties in line with current Building Regulations, where appropriate and practicable, particularly in respect to fire safety and accessibility.
- 3.9 South Essex Homes has completed an extensive programme of fire safety door and screen improvements throughout its high rise residential blocks with the final two blocks (Pennine and Quantock) on site with completion in spring 2018. They have also undertaken a programme of minor works across all blocks, which have now been completed. These works were delivered as part of the £2 million brought forward from the Housing Revenue Account to the 2017/18 financial year to support safety improvement works. All South Essex Homes tenanted properties are also fitted with mains supplied smoke detectors, which are checked on an annual basis.
- 3.10 All high rise buildings have been fitted with GERDA 'Premises Information Boxes (PIBs)', which contain information to support the work of Essex County Fire and Rescue Service in the event of an incident. South Essex Homes has been undertaking a door knocking exercise to carry out tenancy audits in order to update any 'Personal Emergency Evacuation Plans' for inclusion in the PIBs.
- 3.11 The Council has identified a specific Fire Improvement Programme in its new Capital Programme with an initial allocation of £500,000 in each of the 2018/19 and 2019/20 financial years. A new building surveyor (compliance) post has been recruited to and initial work packages are currently being tendered for a start on site in spring 2018. These works will initially focus on those buildings classified as 'high priority' and will include works such as fire door replacement and fire compartmentation works.
- 3.12 The Council and South Essex Homes, in consultation with Essex County Fire and Rescue Service, will be considering the role of sprinkler and other fire suppression systems, which will be informed by the findings and recommendations Grenfell Tower Inquiry and the Independent Review of Building Regulations.

Non-Council Properties

- 3.13 The Council has been contacting owners of all private sector high rise residential accommodation (including the hospital, University of Essex and hotels) to confirm details of any cladding. Letters were initially sent to a long list of 48 property owners. Following research including site visits, where appropriate, follow up letters were sent to 26 property owners. It has been established that there are no issues in relation to these buildings, and there are

no issues in relation to either the hospital or any of the buildings operated in Southend by the University of Essex.

- 3.14 Essex County Fire and Rescue Service has been visiting all high rise buildings to review fire safety arrangements. This work is progressing and will be reported on in the next update.
- 3.15 The Council has confirmed that all Local Education Authority schools (non-academies or free schools) have up to date Fire Risk Assessments in place and has written to all Academies to request confirmation that they have completed this information. A full analysis will be presented in the next update.

4. Other Options

- 4.1. The Council could decide to maintain all operational properties in their current condition with fire improvement works and, where practicable, to bring them up to the requirements of the latest Building Regulations when they next undergo major alterations and/or extension. All operational buildings would still meet statutory requirements although it could be argued that the Council would not be meeting the section of the Regulatory Reform (Fire Safety) Order 2005 that requires Employers to 'put in place, and maintain, appropriate fire safety measures'. This option has, therefore been discounted.
- 4.2. The Council could commit to bringing all operational buildings up to current Building Regulation requirements. However, this will not always be practicable due to the construction and/or age of the building; the building may be listed on the National Heritage List for England, which could limit what works could be undertaken; or changes could be financially unviable. This option has, therefore been discounted.

5. Reasons for Recommendations

- 5.1.1 The Council has undertaken a fundamental review of its fire safety policies and procedures; reviewed its property stock; and put in place appropriate resources (financial and other) to ensure that it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.
- 5.1.2 The Council has also recognised its 'community leadership' role in respect to fire safety and engaged with partners and the private sector to ensure residents, employees and visitors across the Borough are housed in, work in or visit safe premises.

6. Corporate Implications

- 6.1 Contribution to Council's Vision & Corporate Priorities
 - 6.1.1 Within the Council's Corporate Priorities is a commitment to 'Create a safe environment across the town for residents, workers and visitors'. Ensuring all of its buildings meet fire safety standards is a key element in delivering against this priority.

6.2 Financial Implications

- 6.2.1 The Council has allocated £750,000 per annum in its current capital programme for property refurbishment works and a further £500,000 in each of 2018/19 and 2019/20 specifically for fire improvement works. Other capital projects such as the Library Review Programme have also enabled the Council to invest in improving its corporate property stock.
- 6.2.2 South Essex Homes has an agreed capital programme for enhancement across its property portfolio.

6.3 Legal Implications

- 6.3.1 Buildings are required to comply with the relevant Building Regulations in place at the time of their construction or when they are extended or altered. These requirements are set out in the Building Regulation 2010 and the accompanying suite of Approved Document that support the technical “Parts” of the building regulations’ requirements.
- 6.3.2 As Building Regulations are not retrospective whilst buildings will comply with the regulations in place when they were built, extended or altered they are unlikely to meet the requirements of the latest Building Regulations. This is best illustrated by the issue of smoke alarms. Current Building Regulations require that new dwelling houses (residential properties) have mains supplied smoke detectors, which are linked to each other. However, the majority of residential properties have battery supplied detectors at best and many have no smoke detection at all.
- 6.3.3 In relation to fire safety employers (and/or building owners or occupiers) are required to comply with the Regulatory Reform (Fire Safety) Order 2005. This principally requires that employers (and/or building owners or occupiers):
- carry out a fire risk assessment of the premises and review it regularly
 - tell staff or their representatives about the risks you’ve identified
 - put in place, and maintain, appropriate fire safety measures
 - plan for an emergency
 - provide staff information, fire safety instruction and training

6.4 People Implications

- 6.4.1 The Council has a statutory requirement to ensure that all staff, tenants, residents and visitors/service users are using a safe building that complies with the Regulatory Reform (Fire Safety) Order 2005.

6.5 Property Implications

- 6.5.1 All of the Council’s operational buildings, alongside those managed by South Essex Homes, meet the regulatory standards in place when they were constructed, extended or altered and have up to date and reviewed Fire Risk Assessments in place.

6.5.2 It is the aim of the Council and South Essex Homes to progressively bring their properties in line with current Building Regulations, where appropriate and practicable, particularly in respect to fire safety and accessibility.

6.6 Consultation

6.6.1 The Council has established a Tri-Partite Review Group to examine fire safety including representatives from across the Council, South Essex Homes and Essex County Fire and Rescue Service, chaired by the Deputy Chief Executive (Place). As individual building works are taken forward consultation is undertaken with tenants, employees and service users as well as with statutory bodies such as Historic England where this is appropriate.

6.7 Equalities and Diversity Implications

6.7.1 Fire Risk Assessments take account of the needs of all employees with Personal Emergency Evacuation Plans (PEEPS) in place for any employee who requires one. This is a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.

6.8 Risk Assessment

6.8.1 The Council and South Essex Homes undertake a programme of Fire Risk Assessments across their operational property portfolios. All of these assessments are up to date and area reviewed on an annual basis.

6.9 Value for Money

6.9.1 All capital works are procured in accordance with the Council's Corporate Procurement Rules 2015 to ensure best value is obtained.

6.10 Community Safety Implications

6.10.1 The Council has a statutory requirement to ensure that all staff, tenants, residents and visitors/service users are using a safe building that complies with the Regulatory Reform (Fire Safety) Order 2005. The Council currently complies with its obligations under the Order but will be undertaking fire safety enhancements/improvements across a number of its operational buildings to, where practicable, bring them up to the requirements of the latest Building Regulations.

6.11 Environmental Impact

6.11.1 There are no direct environmental implications arising as a result of the works proposed in this report.

7. Background Papers

Report to Cabinet on 19 September 2017 'Fire Safety Measures following the Grenfell Tower Tragedy' – Minute 307
Independent Review of Building Regulations Interim Report – December 2017.
Fire Safety Review 2017 Terms of Reference

8. Appendices

There are no appendices to this report.