

Appendix 1 – January 2019 Housing Committee

Fire safety and the council's response to the Grenfell Tower Tragedy

Introduction

1. This report provides a progress update on Fire Safety issues in Barnet, including progress with implementing a £30m package of fire safety improvement works for the council properties managed by Barnet Homes which includes the replacement of cladding at Granville Road, as well as proposals for taking forward additional works to low rise properties.

Barnet Council Housing Stock

2. There are 26 blocks of flats managed by Barnet Homes which have 6 or more floors (or 5 and more floors with a retrospectively fitted cladding system). Within the 26 blocks, 12 blocks have 10 or more floors. All 26 blocks have been inspected by Barnet Homes' fire risk assessors to determine a scope of works to each block. These inspections have included a sample of flats within each block.
3. As reported to Housing Committee in October 2017, a prioritised programme of works required to move beyond legislative compliance to deliver best practice in fire safety has been developed by Barnet Homes, including consideration of sprinkler systems, improved fire and smoke alarm systems and other measures presented to the committee.
4. The make-up of the approved budgets to date by the Housing Committee is as follows;

Granville Road cladding removal, recladding and associated costs	£8,122,900
Category 1 works	£9,220,433
Additional fire safety works to high rise buildings (Category 2 and 3a works)	£12,656,667
Total	£30,000,000.00
Anticipated income from central Government for Granville Road cladding removal and replacement	£7,000,000
Total anticipated funding required from HRA	£23,000,000

5. Following the government's announcement of the Social Sector ACM Cladding Remediation Fund, an application for funding was submitted by Banet Homes on behalf of the London Borough of Barnet. As Barnet Homes were able to achieve a £2.2m reduction from the original £8.1m budget, partly by delivering the project ahead of schedule, the application was for a sum of £5m against a forecast total project cost of around £5.9m. Around £900k of costs associated with the project

are not eligible for grant funding. The following table reflects the revised costs of the works at Granville Road together with the updated position on the grant funding.

Granville Road cladding removal, recladding and associated costs	£8,122,900
Category 1 works	£9,220,433
Additional fire safety works to high rise buildings (Category 2 and 3a works)	£12,656,667
Total approved at The Housing Committee - June 2018	£30,000,000.00
Cost saving for Granville Road recladding	£-2,200,000
Anticipated income from central Government for Granville Road cladding removal and replacement	£-5,000,000
Revised total	£22,800,000

Delivery of high priority (Category 1) fire safety works

6. Good progress has been made on the delivery of the high priority works together with a broader range of fire safety measures. A summary of the achievements to date are;

- A range of fire safety improvement measures have commenced with progress to date including;
 - Works to blocks on Grahame Park Estate have been completed. Further works within individual dwellings at Grahame Park have been incorporated into the forthcoming electrical project on the estate which is due to commence in the new year.
 - Works to blocks on the Whitefields Estate have been completed.
 - Works have commenced at blocks on the Silk and Shoelands Estate
 - Detailed survey and design works to include sprinkler systems have been undertaken to 4 high rise blocks. Barnet Homes are ready to commence leasehold consultation and engagement with residents at these locations.
- Fire Risk Assessments have been reviewed in light of the announcements affecting GRP composite flat front entrance fire doors, to blocks containing such doors.
- Increased communications with residents on fire safety through regular information in the residents' magazine At Home, targeted letters to specific locations and use of social media.
- A programme of fire safety visit to all flats in high-rise blocks is well underway. It is anticipated that these will be completed by June 2019 when residents are willing to provide access and that further attempts to gain access and undertake updates to those already completed will be done in conjunction with the delivery of the fire safety works programme.

7. The recladding of the three tower blocks at Granville Road was completed prior to October 2018, meaning that residents homes were once again insulated prior to the onset of the winter.

Further proposed works to high rise flats

Sprinklers to high rise dwellings with 10 or more floors and two stairwells

8. The Housing Committee at the 21 June 2018 meeting, has already approved to the installation of sprinklers to high rise dwellings with a single stairwell. It is proposed this recommendation is extended to include all blocks with 10 or more floors. This would add a further 5 blocks of flats to the works (including the 3 tower blocks at Granville Road). The estimated cost for these works is £3.22m. These works would be delivered between 2020 and 2022.

Proposed works to Sheltered Housing and Hostels

9. In considering the approach to fire safety the layout, design and construction type of the building should be taken into account. In addition, the likely profile of those living within the building should be carefully considered.
10. Whilst Sheltered Housing schemes are not care homes, it is often the case that residents require more support than exists in general needs housing. Sheltered Housing residents sometimes have visiting care workers and often have more limited mobility, would be slower to respond and may have less sensory awareness (such as smell, hearing and vision).
11. In these instances, the provision of a fire suppression system, such as sprinklers, would extend the survival prospects if a fire was to occur within the dwelling and a resident unable to self-evacuate. Fire alarm systems within sheltered housing settings are already set up to provide off site notification and a fire suppression system is highly likely to either prevent the spread of a fire or extinguish it until the emergency services arrive. The LFB and other fire and rescue services recognise the benefits of providing sprinklers in such settings and therefore strongly recommend the installation of such systems. It is therefore recommended that these are installed in Council Sheltered Housing homes, the cost of which is estimated to be £2.3m.
12. Hostels are normally occupied by a more transient and vulnerable group of residents and it is proposed sprinklers are installed in these locations (excluding those already earmarked for demolition/redevelopment). The estimated cost for this is £150,000.

Works to Low and Medium rise dwellings

13. The independent review of Building Regulations and Fire Safety undertaken by Dame Judith Hackett has focused initially on multi-occupancy higher risk residential buildings (HRRB's) that are 10 storeys or more in height. However, it is

important to recognise that fire safety is not just a matter limited to high rise homes. Of the 9,900 flats managed by Barnet Homes only 660 are in blocks of flats with 10 or more floors.

14. Using the previous definition adopted by Barnet Homes and LBB (6 or more floors, or five or more floors with a retrospective cladding system) less than 1,400 homes are included.
15. Whilst the Regulatory Reform (Fire Safety) Order 2005 focuses on communal areas, Barnet Homes have piloted some surveys which go over and above these requirements and include areas within dwellings. Within some properties areas for further improvements have been identified of a similar nature to that of the high-rise properties.
16. The recent fire at Willow House highlights that the impact of a fire within a low-rise block can be significant. The investigation into the fire has yet to be completed and therefore it is too early to draw any conclusion as to the cause of the fire. The fire caused damage to the roof, part of which collapsed. In addition, water used to extinguish the fire caused damage to flats located within the building below the point of the fire.
17. It is recommended that Barnet Homes extend its programme of fire safety works to include all blocks of flats and the following recommendations be adopted as a package of works to low and medium rise flats:
 - a. Fire Risk Assessments (FRA) - Barnet Homes have an ongoing programme of undertaking fire risk assessments to all blocks of flats. These are undertaken in accordance with the Regulatory Reform (Fire Safety) Order 2005. The frequency of the FRA's undertaken reflects the risk of the block and type of block. For example, sheltered housing and tower blocks have an annual FRA, whereas low and medium rise blocks are generally undertaken either on a two or five yearly cycle.

The Regulatory Reform (Fire Safety) Order is applicable to communal areas only. The order was introduced to consolidate many different Acts and other legal requirements covering a vast range of non-residential premises types. Therefore, the requirements of the Order do not extend to residential dwellings.

It is recommended that over the course of 12 months all blocks receive an updated fire risk assessment which would also include an inspection of a sample (around 10%) of the internal of flats within each block. This would enable a more accurate assessment to be undertaken of the compartmentalisation between dwellings. This type of assessment is commonly known as a "Type 3" FRA, the delivery of this work will take place in the 2019/20 financial year. 2019/20 financial year.

- b. The outcome of these assessments would be used to develop a further programme of works, as applicable, however it is recommended that a sum of money be made available to deal with any urgent matters that may be identified.

- c. It is further recommended that within the general needs flatted stock, more comprehensive smoke and heat detection systems be installed. This would be installed to an LD2 standard as defined within current building regulations. It is recommended that these works be undertaken in conjunction with the existing and ongoing electrical testing/upgrade programme. At present our flats have a mixture of systems and comply (as a minimum) with an LD3 standard. LD3 requires one detector to be fitted per floor of a dwelling, and LD2 standard requires detectors to be fitted in other higher risk rooms which would normally result in the property having alarms in the hallway (and landing if on two levels), the kitchen and living room.

18. It is recommended that the total sum made available for the low and medium rise works (including the FRA's, urgent arising works and the installation of more advanced fire detection systems within flats) is £7.9m. Once the type 3 FRA's have been completed an updated programme of works will be developed for the low rise and medium rise stock together with relevant recommendations for consideration by the Housing Committee.

Composite Fire Doors

19. In March 2018, the government released a statement regarding potential issues identified with glass reinforced plastic (GRP) composite door-sets produced by the company Manse Masterdor. Further testing of these doors was undertaken and an updated statement made on the 16th May 2018. An excerpt of this statement is as follows:

“The expert panel has concluded there is a performance issue with these Manse Masterdor fire doors, which do not consistently meet the 30-minute fire resistance standard. Nevertheless, the National Fire Chiefs Council has advised the expert panel the risk to public safety remains low”

20. The full statement can be viewed at:

<https://www.gov.uk/government/news/update-on-fire-doors-investigation-risk-to-public-safety-remains-low>. The statement also confirmed that the MHCLG is writing to affected customers. The affected doors were supplied between 2013 and 2014 of which there are around 1,100 fitted to homes managed by Barnet Homes.

21. Whilst the initial announcement concerned only doors made by one supplier there have subsequently been further announcements by the MHCLG regarding GRP composite doors more generally which has resulted in the production of all such doors being suspended. There are around 4,000 other GRP composite fire doors fitted to homes managed by Barnet Homes.

22. Whilst Barnet Homes are pursuing various avenues to recover some or all, of the costs associated with replacing or undertaking remedial works to these doors it is likely that these works will need to commence before agreement can be reached with the supplier. Therefore, it is recommended a sum of £10.5m be made available for replacement of these doors as required with a view that these monies may be recovered from other parties at a later stage.

Large Panel System Buildings

23. There have been various reports in the media of issues around high-rise Large Panel System Buildings (LPS). These have included some landlords decanting residents from high rise blocks which use this form of construction whilst further strengthening works are undertaken. Barnet Homes manage four locations with LPS type construction blocks of flats, however none of these blocks are tower blocks. The tallest block being six floors high and the majority being four floors or less. Barnet Homes have commissioned surveys of LPS blocks, some of which are require extensive works to open up parts of the building fabric and to expose reinforcement bars within the concrete panels themselves.

Leaseholders

24. As previously decided by the Committee, Leaseholders will not be required to contribute towards the cost of the recladding at Granville Road or high priority (category 1) works to improve fire safety.

25. However, in respect of additional measures the council will seek to recover any contribution due under the terms of each leaseholder's lease. This will ensure that the programme remains affordable within the Housing Revenue Account. In some cases, it will not be possible to recover a contribution and ongoing maintenance costs where the terms of an individual lease preclude this.

26. Extended payment terms are already available to resident leaseholders. Leaseholders affected by fire safety works would be able to take advantage of this scheme.

27. Council flats which have been sold on a long-term lease through the provisions of Right to Buy legalisation have variations in the lease terms depending on when they were first sold. Older leases generally have a provision for the council to repair and maintain the building and an obligation on the leaseholder to contribute towards the cost of this. New leases also allow the council to improve and there is an obligation on the leaseholder to contribute towards this cost.

28. It is acknowledged that unless there is any change in legalisation it is unlikely to be possible to undertake works to install sprinkler and interlinked alarm systems to leasehold properties with older leases which do not have provision for "improvement" works unless the leaseholders expressly agree to the works. In order to encourage greater acceptance of the works amongst such leaseholders (who make up around 50% of the leased properties affected), it is proposed that these leaseholders are offered the work of installation of sprinklers and alarms at nil cost. Once the system is installed the ongoing maintenance costs can be recovered under the terms of the lease, however to support these leaseholders in making the transition to this, and to encourage greater buy in to the installation of sprinklers and alarms which are linked to a central control panel it is proposed to give a discretionary reduction on the costs in a phased manner as follows;

	Percentage of
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	servicing & maintenance costs payable
Year 1	0%
Year 2	0%
Year 3	0%
Year 4	0%
Year 5	0%
Year 6	20%
Year 7	40%
Year 8	60%
Year 9	80%
Year 10	100%

29. The leaseholder would the assume all maintenance costs after 10 years, unless the property changed hands on the open market prior to this point, in which case the discretionary discount would cease. Leaseholders with newer leases would pay for all maintenance (and the like) costs with immediate effect.

30. Some of the proposed works will only be undertaken to tenanted homes as the responsibility for undertaking such works would fall, under the terms of the lease, to the leaseholder. Barnet Homes will continue to provide fire safety advice to leaseholders. In addition, in some instances it would be of benefit for Barnet Homes to offer to undertake such works for leaseholders at a pre-agreed sum.

Summary of proposed costs

31. The summary of works approved by The Housing Committee to date and the summary of the proposed works recommended within this report is as follows;

Granville Road cladding removal, recladding and associated costs	£8,122,900
Category 1 works	£9,220,433
Additional fire safety works to high rise buildings (Category 2 and 3a works)	£12,656,667
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Cost saving for Granville Road recladding	£-2,200,000
Anticipated income from central Government for Granville Road cladding removal and replacement	£-5,000,000
Revised net total approved to date	£22,800,000
Installation of sprinklers to High Rise blocks with 2 stairwells	£3,220,000
Installation of sprinklers to sheltered	£2,330,000

housing blocks	
Installation of sprinklers to hostels	£150,000
Works to low and medium rise blocks (inc. undertaking of type 3 FRA's and any urgent arising works)	£7,900,000
Replacement of composite fire doors	£10,500,000
Sub total	£46,900,000
Less expenditure incurred in 2017/18	£4,000,000
Provision to be made in HRA from 1st April 2018	£42,900,000 (£42.9m)
Anticipated leasehold income for fire safety works	£2,000,000

32. In addition, it is estimated there would be an ongoing revenue cost for the maintaining and servicing of equipment installed.

33. It is recommended that these works be delivered over the course of 5 years from the 1st April 2019. Barnet Homes will programme the works to address the highest risk first, but as far as possible to combine works together to reduce the number of separate projects affecting residents.

Fire at Willow House, N2

34. A fire occurred in the early hours of the 7th November 2018 in a block of flats on the Grange Estate in East Finchley. Residents from the whole block (26 flats) were evacuated from the building and local community groups responded positively to very quickly open a rest centre nearby. Half of the residents were able to return to their flats from around 9:00 am, these being unaffected by the fire.

35. The fire caused significant damage to the roof over flats 1-12, with part of the roof collapsing. This has resulted in increased weight being placed on the ceiling in a non-uniform manner which introduced a hazard in accessing the building. A structural engineer visited site on the same day and on their advice, access was not permitted to the top floor of the building.

36. Although the fire damage was largely limited to the roof and the top floor flat of origin, significant water damage has been caused to all 13 flats in the block.

37. Scaffolding erection around the building started the day after the fire and the installation of a temporary roof is now complete.

38. During the day of the fire Barnet Homes provided financial assistance to all residents who made contact to support them. Emergency temporary

accommodation was provided immediately for all residents who required it. Assistance on site was provided to residents to enable possessions to be retrieved as soon as possible. Two emergency payments were also made to all residents and suitable longer-term accommodation has been sourced for those in need, with deposits being made available to assist private sector tenants to secure new accommodation.

39. Collaborative working between Barnet Homes, the council and various local community groups to support the affected residents was laudable.
40. Meetings with LBB insurers have taken place and Barnet Homes are appointing a consultant to specify and manage the works to restore the building to a habitable condition.

Registered Providers

41. As reported previously there are approximately 7,000 homes managed by RPs or Housing Associations in the borough and these are regulated by the Regulator of Social Housing (RSH). RPs are required to carry out fire risk assessments and operate in a similar way to Barnet Homes in managing fire safety in relation to the housing it manages.
42. Following the Grenfell Tower fire, the council wrote to all Housing Associations with 10 or more units and received responses confirming that eight have blocks of flats over 5 stories in height and that all Housing Associations all of which have up to date fire risk assessments.
43. Three of the Housing Associations confirmed that they have ACM cladding on blocks, and for all three this has been tested by the government and failed.
44. One of these (Origin) has received advice from the LFB that the building is safe, and a replacement cladding that has passed fire safety tests will be fitted early in 2019.
45. Metropolitan Housing Trust has removed the existing combustible cladding and insulation and is currently in the progress of replacing with non-combustible terracotta tiles and render. This replacement is included as part of a major planned maintenance works programme which also includes the replacement of all doors and windows and the addition of a sprinkler system. All works are expected to complete by Summer 2019. Metropolitan Housing Trust is unable to receive any funding for this work as the cladding is not ACM.
46. Genesis has now completed the replacement of ACM cladding on their high-rise stock in Barnet.
47. In addition, Sanctuary Housing Association has one block which they hold on a lease in Colindale that has failed the testing. There is an up to date fire risk assessment for this block and Sanctuary has stated that the freeholder is responsible any work associated with replacing the cladding. The owner of the building has recently confirmed that they are now planning to remove the cladding

and which partially covers the exterior of the building, and replace it with fibre cement panels.

Private Sector buildings (residential and commercial)

48. As previously reported to the Housing Committee, in the case of privately owned high rise blocks, the councils' power to act is limited as whilst Barnet is the planning authority for most new building works, the council's building control service competes with the private sector for the building compliance work. Additionally, building control services operate strictly within the building regulations and cannot withhold approval on materials that have been tested as suitable, they can only advise.
49. Owners are required to carry out fire risk assessments and spot checks are carried out by the London Fire Brigade. However, these are restricted checking that fire doors, risers, and alarms are fully functional within the fabric of the building and therefore would not pick up faults in cladding systems or fire compartmentation outside the main structure.
50. The council has complied with a request from the Ministry of Housing, Communities and Local Government (MHCLG) to collect and submit data on the status of privately owned high rise blocks exceeding 18 metres in the borough, including whether they have ACM cladding and any actions that owners are taking to address this.
51. Following this exercise, it has been confirmed that there are 2 privately owned blocks higher than 18 meters within Barnet that have ACM cladding which has failed the government's fire safety tests, including the one referred to in paragraph 46 above. The council's building control team has recently been in touch with the owners of these buildings, and one has confirmed that they have plans in place to replace the cladding. The other owner has advised that they are awaiting the outcome of tribunal hearings before confirming their intentions, and more information has now been requested.
52. The government has recently published an addendum to the Housing Health and Safety Rating System to provide guidance on the assessment of high-rise residential buildings with unsafe cladding. This will come into effect at the end of January 2019 and will provide a framework for carrying out an assessment of the potential hazards associated with unsafe cladding which could lead to enforcement action being taken against building owners. Officers are reviewing the addendum to consider actions that the council should consider taking in relation to it.
53. The government has also announced that it will support local authorities in taking direct action to remove unsafe cladding from high rise buildings, including financial assistance. At this stage, it is unclear how this will operate in practice, and further advice is being sought from the government.

Appendix - Barnet Council Fire Safety Action Plan – January 2019

Action	Status	Notes
Council Housing Stock		
Granville Road Towers – cladding removal	Complete	Cladding was removed by early October
Granville Road – identify solution for cladding replacement	Complete	Barnet Homes working with contractors and consultants. Consultation with residents on proposed solution February 2018
Granville Road – installation of new cladding system	Complete	To commence spring 2018 and fully complete by October 2018 Residents to be compensated for additional fuel costs
Complete surveys of all council tower blocks to identify best practice options	Complete	Update to Housing Committee 23 October
Undertake high priority works identified in surveys	On going	Additional resources agreed by Housing Committee Programme now underway
Finalise package of additional measures	On going	Proposals to Housing Committee January 2019
Registered Providers (RPs)		
Contact RPs for confirmation that their Fire Risk Assessments are up to date and to identify any high rise blocks they managed within the borough	Complete	All have responded and confirmed location of building and that FRAs are up to date.
Work with Government and RPs to ensure actions to address any fire safety concerns are addressed.	On going	3 RPs have confirmed they have blocks with ACM panels that have failed tests and they have or are planning to remove these.
Private Sector Residential and Non-residential		
Issue briefing note for owners and managing agents of private sector buildings	Complete	Advice note produced and sent to owners 26 June 2017
Publicise letter from Government for private sector owners offering assistance with cladding	Complete	Place link on Council web site Include reference in briefing note
Identify private dwellings in the borough potentially at risk	Complete	10 sites identified– information on mitigations requested from owners.
Complete data collection exercise and submit to Government	Complete	Initial returns made. Additional information being sought from owners for blocks where ACM present.
Ensure compliance with Government direction on fire safety 17 May 2018	Complete	Carry out review of approach to be completed by the end of July 2018
Ongoing Liaison with owners of blocks with failed ACM Cladding	Ongoing	Latest updates received Nov/Dec 2018
Identify next steps following government announcements Nov 2018	Ongoing	Identify obligations associated with Housing Health and Safety Rating system addendum. Clarify assistance available from MHCLG to assist with enforcement action and costs
Council non- residential		
Barnet House -complete actions from fire risk assessment	Complete	All actions will be completed by July 2017
Colindale – new council headquarters	Complete	Strategy in place

Action	Status	Notes
– fires safety strategy		
Actions from fire risk assessments for commercial units beneath residential	On going	All retailers have been contacted to confirm works required. Enforcement action will be taken where appropriate.