

	<p><b>Assets, Regeneration and Growth Committee</b></p> <p><b>27 November 2017</b></p>
<b>Title</b>	<b>Barnet House Fire Safety Recommendations</b>
<b>Report of</b>	Councillor Daniel Thomas
<b>Ward</b>	Totteridge and Whetstone
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1 – Recommended Action Plan
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### Summary

This report provides an update on the further investigations regarding fire safety at Barnet House, Whetstone, as agreed at the Assets, Regeneration and Growth Committee meeting on Monday 24 July 2017. The report outlines the findings and includes a recommended priority action plan for implementation.

### Recommendations

**The Asset, Regeneration and Growth Committee**

- 1. acknowledges and notes the findings of the additional investigations undertaken at Barnet House.**
- 2. acknowledges and agrees the methodology and approach in developing a priority action plan.**
- 3. delegates authority to the Head of Estates, to implement the priority action plan.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 On 26 June 2017, a paper was submitted to Housing Committee that set out the fire safety arrangements that are already in place in residential tower blocks in the wake of the tragic events at Grenfell Tower.
- 1.2 In light of the Grenfell Tower fire, a key concern is to ensure that Barnet House, an 11 storey office block in Whetstone occupied by council services, complies with fire safety requirements. Barnet House has been over-clad in the late 1990's (circa 1998 – 1999 from the building records) but the cladding system used is different to that used on Grenfell Tower.
- 1.3 On 24 July 2017, a report was submitted to the Assets, Regeneration and Growth Committee to provide fire safety assurance for the Council's high rise operational buildings and leased out premises under flats, as these may also give rise to understandable concern. Gaining assurances that fire safety recommendations are being implemented by tenants in shops under flats is currently being dealt with by CSG Building Services and a programme of site visits is currently being implemented. This report provides a priority action plan for Barnet House, which has been informed by further investigations, namely:
  - A further update of the Barnet House Fire Risk Assessment (FRA) following Grenfell Tower;
  - A review of the Fire Strategy for the building;
  - An external visual inspection of the cladding;
  - An internal compartmentalisation survey.
- 1.4 The Council has now concluded the above-mentioned investigations and a summary of the recommendations for physical improvements to the building can be found in Appendix 1.
- 1.5 In developing the priority action plan, the Council must consider the required outcomes. As there is no clear definition on 'best practice' in this regard, to be consistent across all assets, options were considered (see Para 3), based largely on those developed by Barnet Homes for their Housing Partnership Board.
- 1.6 The projected future occupation of Barnet House is estimated at 12 to 16 months, at which time the offices at Colindale will be constructed and services will have been decanted accordingly. In light of this any recommended actions must be deliverable and have tangible benefits within these timescales. It is also worth noting that the Building owners are currently engaged with the Local Planning Authority to convert the building into residential units.
- 1.7 Having weighed up available options, it is recommended that a risk based approach be taken to the implementation of fire improvements. This means compliance (fire safety wise) with the current building regulations (Approved documents B volumes 1 and 2 as applicable) as far as is reasonably practicable to achieve an acceptable level of fire safety, whilst also

considering the impact on business continuity, the residual time in the building and alternative measures where full compliance cannot be achieved.

- 1.8 A detailed action plan is included at Appendix 1, much of which has already been completed. The below summary shows the remaining recommended actions to be undertaken, together with indicative costings and timescales, all of which are subject to further due diligence, following agreement to proceed:

Item	Description	Indicative Timescales	Indicative Cost
1	Implement recommendations of Fire Risk Assessment in line with priority timescales.	Underway	£5,000
2	Arrange meeting with Shaylor Construction to review perceived latent defects and agree corrective measures.	11 October 2017	£0
3	Cladding repairs - A number of penetrations and other issues with the cladding system were highlighted during the inspection. Works to ensure the polystyrene insulation is fully encapsulated are recommended.	2 months	£15,000
4	Confirm manufacturer of cladding system - The full risk profile of the cladding should be understood from liaison with the manufacture and further works as required can be considered at this time. Further to this, a thermal survey of the building to establish if fire barriers are in the correct location. To be followed by an invasive survey if the findings of the thermal survey are inconclusive.	2 months	£10,000
5	Seal compartment breaches - Compartmentation provides an integral part of the fire management of the building and as such all breaches should be rectified. This will also ensure that the stairs are surrounded by fire resisting construction as per the requirements of ADB2.	2 months	£30,000
6	Repair fire doors and replace any fire doors currently deemed beyond repair	2 months (underway)	£100,000
7	Install additional wireless automatic fire detection to give early warning to occupants and building users.	2 months	£55,000
8	Move the fire refuge areas into the stairwells.	2 months	£5,000
9	Improve fire integrity of external glazing to stairwells through either improved glazing or physical construction (first 1.8m around the boundary of the building)	1 month	£5,000
10	Implement additional fire marshalling/floorwalking to the building particularly areas of infrequent use.	Underway	

## 2. REASONS FOR RECOMMENDATIONS

- 2.1 To ensure the Council fulfils its obligations in respect of Health and Safety in the workplace and in public access buildings.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 The below alternative options have been considered and disregarded:

3.1.1 **Statutory compliance with Building Regulations.** Full compliance with the current building regulations applicable to matters of fire safety (Approved documents B volumes 1 and 2 as applicable), together with other measures which would exceed the requirements of the building regulations. Although the current building regulations would reflect the features that should be included within a building if it were to be constructed today, there are a number of areas when full compliance is unlikely to be achievable due to physical and economic constraints. It is therefore unlikely that this option would be fully viable. In terms of risk mitigation, full compliance with the current Building Regulations and Regulatory Reform Fire Safety Order 2005 would minimise risk as far as is practicable. But, given the current construction and building infrastructure condition, this would potentially require a full decant of the building and significant refurbishment and remodelling works to achieve this benchmark. Also, taking into account the future occupation timescales, the current progress and spend on the new operational offices at Colindale, current non-availability of suitable decant facilities and likely cost implications, this option is deemed outside of the scope of what is 'reasonably practicable'.

3.1.2 **Reduce occupation levels.** Empty the upper floors of the building to reduce the impact, should a fire occur. This would be dependent on being able to identify alternative locations for staff at short-notice, which is highly unlikely to be possible. This option has therefore been discounted.

### **4. POST DECISION IMPLEMENTATION**

4.1 All necessary works identified in the priority action plan to improve fire safety, will be carried out to Barnet House. In line with section 1.8 of this report.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

5.1.1 The Corporate Plan 2015 – 2020 is based on the core principles of fairness, responsibility, and opportunity to make sure Barnet is a place:

- Of opportunity, where people can enhance their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer.

5.1.2 This report supports these core principles

#### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 Further investigations and remedial works will be instructed and

commissioned in accordance with the Council's Contract Procedure Rules, Appendix 1 Table A. The investigations will be funded from the repairs and maintenance budget, although it should be recognised this will introduce a budget pressure that will have to be managed.

### **5.3 Legal and Constitutional References**

5.3.1 All proposals emerging from this report must be considered in terms of the Council's legal powers and obligations, including its Health & Safety obligations and overarching statutory duties such as the Public Sector Equality Duty.

5.3.2 The Council's Constitution, Article 7, Committees, Sub-Committees, Area Committees and Forums and the Local Strategic Partnership states the functions of the Assets, Regeneration and Growth Committee, include responsibility for asset management and to receive reports on relevant performance information on Delivery Units providing services under the remit of the Committee.

### **5.4 Risk Management**

5.4.1 The Council has an established approach to risk management. Key corporate risks are assessed regularly and reported to Performance and Contract Management Committee on a quarterly basis.

5.4.2 A more detailed risk log will be developed following production of the action plan.

### **5.5 Equalities and Diversity**

5.5.1 The general duty on public bodies is set out in section 149 of the Equality Act 2010.

5.5.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.5.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.5.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.5.5 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, the need to tackle prejudice; and promote understanding.

5.5.6 Compliance with the duties in this section may involve treating some persons more favourably than others but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

5.5.7 The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.5.8 It also covers marriage and civil partnership with regard to eliminating discrimination.

5.5.9 Prior to any works being undertaken a EQIA will be carried out and considered

## 5.6 **Consultation and Engagement**

5.7 There is ongoing engagement with Council Officers, the Local Authority Building Control Department, 3<sup>rd</sup> Party Consultants and Tenants of the building.

## 5.8 **Insight**

5.8.1 The Council has reviewed its operational buildings and leased premises in production of this report.

## 6. **Background Papers**

6.1 ARG Report - Fire safety in high rise operational buildings and shops under flats, dated 24 Jul 17. Link

<https://barnet.moderngov.co.uk/documents/b29725/FIRE%20SAFETY%20IN%20HIGH%20RISE%20OPERATIONAL%20BUILDINGS%20AND%20SHOPS%20UNDER%20FLATS%2024th-Jul-2017%2019.00%20Assets%20R.pdf?T=9>