

Appendix A – November 2020 Housing and Growth Committee

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

1 Introduction

This report provides a progress update on Fire Safety issues in Barnet, including progress with the agreed package of fire safety improvement works for council properties managed by Barnet Homes, together with activity in relation to relevant Registered Provider and Private Sector housing stock.

2 Building a Safer Future (Building Safety Bill and Fire Safety Bill)

- 2.1 Building a Safer Future is a government-led initiative in response to the Grenfell Tower tragedy. It is a framework within which the shortcomings identified in the post-Grenfell review of Building Regulation and Fire Safety can be addressed. These shortcomings include the way high-rise residential buildings are built and managed. Building a Safer Future (BSF) is also intended to deal with situations where residents may raise concerns about the safety of their buildings which they may feel are not taken seriously by their landlord.
- 2.2 Two key pieces of legislation support this initiative – the Building Safety Bill and the Fire Safety Bill. Both Bills have been delayed due to COVID-19, are currently out for consultation and are due to be passed in early 2021 with implementation expected around 6 months thereafter.
- 2.3 The Building Safety Bill will set out to create a new regulator for fire safety under the responsibility of the Health and Safety Executive (HSE). It will be responsible for 'high risk' / 'in-scope' buildings (e.g. residential blocks over 18m, but other criteria may be defined through subsequent statutory instruments).
- 2.4 The Fire Safety Bill will amend the Fire Safety Order 2005 to clarify that the responsible person or duty-holder for multi-occupied, residential buildings must manage and reduce the risk of fire for:
- the structure and external walls, including cladding, balconies and windows
 - entrance doors to individual flats that open into common parts
- This clarification will empower fire and rescue services to take enforcement action and hold building owners to account if they are not compliant.
- 2.5 This means an expert Building Safety Manager will need to be appointed for each block, a regular inspection regime put in place for fire doors, as well as wider reinforcement of better management and increased accountability, as detailed in the Hackitt report.
- 2.6 The new regulatory framework is designed to make building safety issues transparent to all parties involved and reinforce responsibilities. This includes a role for residents in keeping their buildings safe for themselves and their neighbours. The buildings in scope are currently those 18m or higher.

- 2.7 Following the consultation and the formal introduction of the bills, it is inevitable that there will be additional requirements for other enhanced aspects of building and fire safety and ongoing management of our buildings and the wider housing stock within the borough. It is therefore likely that additional costs and responsibilities will be identified as this process continues.

3 Council Housing

- 3.1 The fire safety delivery programme for council housing stock is progressing well following a period of re-programming to incorporate all elements of the investment programme approved by committee:

Item	Cost
Granville Road cladding removal, recladding and associated costs	£5,922,900
Category 1 High Priority works	£9,220,433
Additional fire safety works to high rise buildings (Category 2 and 3a works)	£12,656,667
Installation of sprinklers to High Rise blocks with 2 stairwells	£3,220,000
Installation of sprinklers to sheltered housing blocks	£2,330,000
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
Total	£51,900,000

Progress on fire safety measures to date:

- 3.2 **Granville Road Recladding** - complete.
- 3.3 **Category 1 High Priority Works** - Good progress including communal areas of high-rise blocks (Whitefields, Grahame Park and Silk House & Shoelands). However, recent delays caused by COVID-19 impeded access to properties and sourcing of materials, mainly affecting Grahame Park, Silk House & Shoelands where completion dates have now moved back to Q3 2020/21.
- 3.4 **Additional fire safety works (category 2 and 3a)** - Works at Longford Court only saw minor disruption due to COVID-19; communal elements continued without the need to access homes. After a later than planned start, works at Prospect and Norfolk tower blocks in East Finchley have progressed well in Q2 with an aim to catch up lost time over the coming months.
- 3.5 **Installation of sprinklers to blocks of flats with 10 or more floors and 2 or more stairwells** - These are still scheduled for 2020/21 and 2021/22; including the three tower blocks at Granville Road, where work was due to commence in July 2020. Due to a higher than usual number of queries from leaseholders

regarding the scope of the works, a decision was taken to delay the works to allow additional time for resident consultation including with the estate's residents' association. This has now progressed to tender stage with works now scheduled to commence in Q4 2020.

- 3.6 **Installation of sprinklers to sheltered housing blocks and hostels** - Most works are scheduled for 2022/23 and 2023/24, however consideration is being given to accelerating the installation at certain schemes where other disruptive works are scheduled as part of the wider capital investment programme. This applies to sheltered housing at Vale Court and the hostel at Friern Barnet Road.
- 3.7 There are delays at Vale Court due to Covid-19; with resident safety and shielding against Covid-19 prioritised over implementation of the works. These fire safety works are now scheduled to complete in Q3.
- 3.8 At St John's sheltered housing block, incorporation of fire safety works into the wider project that includes a new heating system and electrical upgrades was due to commence in late April 2020, however prospective tenderers are unable to attend site to review the works; the tender period was extended to July 2020, with works onsite due to commence in November 2020.
- 3.9 **Works to low and medium rise blocks (incl. Type 3 Fire Risk Assessments and any urgent arising works)** - Expert consultants are undertaking in depth FRAs and any urgent works actioned as a priority, with other observations forming part of a longer term planned programme of improvements. The survey work was halted in March 2020 due to COVID-19. Almost 525 surveys have been undertaken now with the remainder (approx. 530) scheduled for completion in Q3.
- 3.10 **Replacement of composite fire doors** – There are 5000 “glass reinforced polyester” (GRP) composite fire doors installed in homes managed by Barnet Homes. Updated risk assessments informed the proposed replacement programme and discussions with the contractors who supplied and fitted the doors. Agreement has been reached with the contractor that faulty doors will be replaced at the contractor's expense and liability resolved through independent adjudication when the work is finished. Work on this programme is ongoing.
- 3.11 Barnet Homes also continue to work with leaseholders whose flat front entrance doors do not meet the required standard but belong to the leaseholder rather than the council pursuant to Deeds of Variation. These doors will also require replacement to ensure the integrity of the fire safety strategy for each block.
- 3.12 **Whitefields Estate - tower block cladding system** – The three blocks (Clare, Norden and Whychcote Point), fitted with High-Pressure Laminate (HPL) are due to be demolished in 2023. After expert advice the cladding and non-combustible insulation backing is deemed safe. A programme of work to improve the front doors to flats and fire alarm warning systems is underway and due for completion in December 2020.
- 3.13 **Willow House Fire** - Works are underway and the project progressed well until issues with the integrity of the block and beam flooring surfaced. Consultants

have investigated the issues and specified remedial works which are nearing completion. The project as a whole is expected to complete ahead of the end of the calendar year.

- 3.14 **Large Panel System buildings** - Surveys for such works are complex and invasive, requiring tenants to be decanted as concrete must be removed to allow visual inspection alongside calculations to assess structural integrity against an internal gas explosion. The gas distributor, Cadent, sought reassurance from Barnet Homes that LPS buildings are safe to retain piped gas – and therefore a set of precautionary risk mitigation measures for blocks at Marsh Drive, Dollis Valley, and Silk House & Shoelands has been implemented.
- 3.15 As the recommendation for next steps at Silk House sought the removal of the piped gas supply to the block, the gas supply to all properties was disconnected in June 2019 and replacement communal heating installed. With no gas supply, Cadent no longer have concerns about the building, but Barnet Homes have taken additional precautionary measures to prevent accidental loading by not permitting portable gas heaters in high rise buildings. Tenancy audits ensure portable gas appliances are not being used.
- 3.16 Surveys were completed for Marsh Drive and blocks in Dollis Valley that confirm they do not meet the required standard. It was therefore agreed with Cadent to work towards the decant of Marsh Drive, and piped gas decommissioning at relevant Dollis Valley blocks, by October 2020. This agreement is based on Barnet Homes having implemented safety measures that include installing gas safety monitoring equipment in each flat, removal of gas appliances and monthly safety checks of the gas boilers. As properties are vacated through the rehousing process all internal gas installations are being safely isolated.
- 3.17 Cadent have acknowledged COVID-19 impacts and agreed the potential for extension to February 2021 for decanting Marsh Drive; although both parties have agreed to endeavour to achieve the October 2020 timescale. Significant progress with decanting at Marsh Drive means Cadent are now able to carry out partial decommissioning (approx. 60%) of the piped gas supply by November. At the Dollis Valley blocks, where decant is phased over five years, a new electric heating system is currently being installed. The power network distribution operator UKPN have recently advised that they cannot achieve the original deadline of October 2020 due to what they cite as COVID-19 related impacts. A revised timescale of January 2021 has been agreed with UKPN and Cadent are aware.
- 3.18 **Responding to changing legislation** - Barnet Homes are assessing how the new requirements of the Building Safety Bill and Fire Safety Bill will impact on the council housing stock in Barnet. It is currently expected that 22 buildings will be considered 'in-scope' within the Barnet Homes stock. One area of change for example will be maintaining digital records of building components and evidencing competence of all parties involved in the building and management process. The impact of the measures and changes is likely to

increase the cost of the fire safety programme and the committee will be updated when the extent of the impacts is clearer.

4 Registered Providers

- 4.1 Of three RPs with confirmed ACM cladding on blocks, works at one are now complete, on another the cladding has been replaced and the replacement of insulation in the final block is due to complete in November 2020, delays are due to Covid-19. This RP is now looking into further work to remove all combustible material from the balconies in order that EWS1 certification can be provided to residents.
- 4.2 In addition, the further provider with a block held through a lease, has an up to date fire risk assessment and the freeholder is responsible for replacing the cladding. The owner of the building has recently confirmed they plan to replace the cladding with fibre cement panels. The owners have been liaising with the council's building control team and have applied to MHCLG for funding to meet the replacement costs of the cladding. A waking watch continues to be in place at this site.
- 4.3 Impacts of the changes to building and fire safety regulations are being reviewed by the sector. Ongoing engagement and partnership working arrangements with the sector will ensure that all RSLs keep the council updated on assessment measures they are putting into place and findings in relation to these changing responsibilities.

5 Private Sector buildings (residential and commercial)

- 5.1 There continues to be two privately owned blocks higher than 18 metres with failed ACM cladding that the council's building control team are in touch with; both have confirmed plans to replace the cladding and have advised that they have requested funding from the Government to assist with replacement. In one case they have seen funding approved and therefore works are due to start in November. In the other case a revised tender for works will enable a new bid for funding from government following a previously unsuccessful application.
- 5.2 An additional high-rise block, identified and inspected in September 2019, was served with an Improvement Notice by the Fire Authority. It was also inspected by Barnet and the LGA's Joint Inspection Team (JIT), who reported back to the building owners and the Fire Authority. Following liaison with the council and the Fire Authority, extensive work has been completed to the block and therefore the Fire Authority have confirmed their initial notice has been complied with. A revised Fire Risk Assessment has been undertaken and follow-up works planned. The council have obtained legal advice to inform its determination whether to take any action under the Housing Act 2004. Works have started to replace the ACM cladding.

- 5.3 Following wider concerns about the safety of some non-ACM systems, the Government requested a further exercise to identify external wall covering on all buildings higher than 18 metres in their area. The review by building control officers was completed. The council has written to landowners/landlords to seek further information, to identify the type of insulation used for each building and any external features such as balconies, where required, to update the national dataset. The initial exercise completed in May 2020; although the council still needs information back from about half of the landowners/landowners deemed 'in-scope' and is continuing to chase them for information. Work continues with the Government and Fire Authority to ensure the ongoing safety of residents.

Appendix B - Barnet Council Fire Safety Action Plan – November 2020

The table below captures only actions that remain ongoing at the time fire safety was last reported to the committee, together with any new actions that have arisen.

Action	Status	Notes
Undertake high priority works identified in surveys	Ongoing	High priority works are close to completion, access to some properties and sourcing of materials due to COVID 19 has caused delays.
Work with Government and RPs to ensure actions to address any fire safety concerns are addressed	Ongoing	2 RPs with blocks with ACM panels that failed tests have completed the remedial works or are close to completing. One further 'leased' building still requires remedial action.
Liaison with owners of blocks with failed ACM Cladding	Ongoing	The council is awaiting confirmation of the result of a revised funding application for government funding for one block and has received confirmation of funding for another that has enabled remedial work to commence from November 2020.
Actions from fire risk assessments for commercial units beneath residential	Ongoing	All retailers have been contacted to confirm works required. Enforcement action will be taken where appropriate. Several of the buildings where remedial action is required have retail units at the ground floor.
Implement the requirements of the Building Safety and Fire Safety Bills.	Ongoing	Review revised requirements of the council and other landowners to ensure measures are in place to deliver full compliance.