1. SUMMARY
1.1 This report sets out the Councils arrangements in respect of fire safety for its housing stock and future proposals to further develop these arrangements.

2. RECOMMENDATIONS
2.1 Cabinet is recommended to:
2.2 To note the Councils current arrangements in respect of fire safety.
2.3 To agree that a programme be developed for the installation of sprinklers in high priority blocks.

3. BACKGROUND
3.1 All residential buildings are governed by regulation in their design, construction and management. This includes specific requirements for the control and management of fire risk.

3.2 All council residential buildings have been constructed and in some cases, subsequently improved, in accordance with the prevailing Building Control regulations and managed in compliance with the Regulatory Reform (fire safety) Order 2005.

3.3 The Grenfell Tower fire has resulted in questions being raised about the efficiency of the current building regulations and it is anticipated that changes are likely over the coming period.
3.4 The Grenfell Tower enquiry is now underway and is likely to make a number of interim recommendations in a shorter time frame with the full enquiry likely to take some time to fully report. As these interim and final recommendations emerge the Council will assess any further changes needed to our current policies.

3.5 Cladding

3.5.1 The initial focus of attention has been external cladding systems and in particular Aluminium Composite Material (ACM). DCLG has required all owners of residential buildings over six stories with ACM cladding to submit samples to the Building Research Establishment (BRE) for testing. Single component testing as well as system testing has been carried out. To date no samples of Category 2 and 3 ACM have fully met the testing requirements. Category 1 ACM have passed the testing regime. These testing requirements have not previously been required or applied but are likely to form part of future Building Control requirements.

3.5.2 Waltham Forest Council does not have any blocks with ACM cladding and has therefore sent no samples for BRE testing. ACM cladding has been identified in two blocks owned by Registered Providers which have been subject to testing and where a range of interim precautionary measures have been put in place.

3.5.3 Although none of our Council blocks have panel cladding in place, checks have been carried out to ensure that any decorative features at block entrances and to some communal stairs are not panel construction.

3.5.4 Whilst we have no blocks with panel cladding we do have a number of blocks that have External Wall Insulation (EWI) applied to the external fabric. We have been gathering information on the EWI applied to our high priority blocks and have commissioned a drone survey to check the condition of the EWI of high priority blocks. In addition we have commissioned our external fire consultants, Ridge, to carry out an inspection on external cladding of a number of our high rise blocks.

3.6 Fire Policy

3.6.1 We have a Fire Safety Policy in place and this has been the subject of review over the last six months with a fully reviewed policy having been developed in March 2017. Consultation was carried out with the Fire Brigade on the proposed policy. The policy covers how fire risks are managed, sterile and managed use arrangements, stay put and evacuation policies, fire safety standards for materials, Fire Risk Assessments as well as signage and fire information. This policy was developed and agreed before the Grenfell Tower tragedy and will therefore be subject to review over the coming months as further information and guidance emerges.

3.6.2 Waltham Forest Council has 61 blocks that we have classed as high priority within our Fire Policy:
3.6.3 9 x Tower blocks (10 stories or above)
12 x High rise (Between 6 and 10 stories)
14 x Sheltered blocks
11 x Temporary accommodation Hostels
16 x Lodges at Montault Road

3.6.4 These properties are classed as high priority based on a range of factors including height, vulnerability of client groups and construction/design features.

3.7 Fire Risk Assessments

3.7.1 Fire safety is a high priority for Waltham Forest Housing and we have clear arrangements in place to manage fire risks

3.7.2 We carry out Fire Risk Assessments to all our blocks with communal areas on a regular basis:

**High risk blocks – yearly inspection**
All blocks of six stories and above
All sheltered blocks
All hostels
The Lodges

**Medium risk – three yearly inspections**
4 and 5 storey blocks

**Low risk – five yearly inspections**
Below 4 stories

Fire risk assessments are carried out by a specialist external organisation on our behalf, Ridge Consultancy

3.7.3 All activity in respect of FRA’s is monitored to ensure that all FRA’s are carried out in a timely way and that any actions are followed up. Waltham Forest Housing carried out FRA’s on behalf of SAM’s and Friday Hill TMOs.

3.7.4 Current compliance monitoring shows that our FRA’s are 100%, with all properties either having a current FRA in place or an FRA in progress.

3.7.5 To ensure the integrity of our records an exercise was recently carried out to ensure all properties requiring an FRA had been captured

3.7.6 Each FRA identifies any actions required which are categorised as high/medium or low priority. The actions are typically management focused or identify repairs needed and range from removal of dumped rubbish in communal corridors, to repairs needed to fire doors, or the need for signage. Other actions can include testing of lighting or checks on materials.
3.7.7 Actions are recorded on a central spreadsheet and sent to teams for action and the results monitored on a monthly basis.

3.8 Governance

3.8.1 Housing hold a quarterly Fire Safety Forum and a quarterly Health and Safety meeting where fire safety and health and safety compliance are discussed. Both are chaired by the Assistant Director of Housing Management who also receives a monthly report on compliance which is reported to HMT on a quarterly basis. A range of compliance activity specifically relates to fire safety including gas servicing, fire alarm testing, electrical testing, smoke detectors, and dry risers.

3.8.2 We are represented on the London Councils group coordinating the fire response and information flow across London as well as the sub-regional technical group looking at fire safety.

3.8.3 In the aftermath of the Grenfell tragedy, weekly meetings were put in place to ensure all actions required were identified and addressed. This included addressing the very high volumes of information requests received, responding to Government requests, as well as reviewing fire safety measures to our homes.

3.9 Fire Safety Measures

3.9.1 We have installed hard wired smoke alarms in all our homes which we service yearly.

3.9.2 Communal fire alarms are in place at all sheltered blocks, The Lodges and hostels and are present generally where there is an evacuation policy in place because of either the nature of the accommodation or the construction of the building.

3.9.3 A ‘stay put’ policy is in place for the majority of our general needs blocks, which means that where there is a fire outside of the dwelling in either a communal area or another flat the advice is to remain in the home where it is safe to do so, unless or until advised by the Fire Brigade to evacuate. This is because this is safer than trying to evacuate where a person could put themselves in danger. The compartmentalisation of flats means that smoke and fire will be contained until the Fire Brigade arrive and can control the situation. This remains Fire Brigade advice.

3.9.4 Properties are fitted with front doors that provide specific fire resistance which is intended to enable a fire to be contained until the fire brigade are able to respond. Where a fire occurs in the home residents are advised to leave the property containing the fire, shutting the door behind them, and leave the building to alert the emergency services. If an evacuation of all or part of the building is needed this will be determined by the Fire Brigade following their assessment.

3.9.5 To ensure that in the event of a fire requiring evacuation, the emphasis is on ensuring the fire service can access properties to tackle fire and evacuation routes are clear. The Housing Service therefore enforces removal of security gates and grilles installed on individual flats and ensuring corridors and balconies are kept clear. This includes
escalation and enforcement in respect of secondary means of escape. This clear fire pathway approach is known as ‘Sterile use’.

3.9.6 Different arrangements apply in sheltered schemes where a ‘managed use’ approach is taken. This enables controlled personalisation of the communal corridors.

3.9.7 We work closely with the Fire Brigade on all aspects of our fire safety work which includes consultation on our policy, joint visits as well as specific fire response exercises with the fire service.

3.9.8 In addition to the above the Council takes the following actions to ensure our homes are safe:

(a) We carry out annual gas checks by registered gas fitters, where there is a gas supply
(b) We hold gas safety certificates to show when appliances were last checked
(c) We regularly inspect and remove any items blocking communal areas
(d) We regularly check fire doors and other safety equipment in blocks of flats
(e) We work with the local Fire Service to provide advice on fire safety
(f) We check all smoke alarms in our property every year
(g) We have red boxes in all our high priority blocks which are regularly inspected and updated which provide essential information for the Fire Brigade in the event of a fire incident.

3.9.9 For a small number of blocks with specific design features we have tailored arrangements in place. This includes monitoring arrangements to physically inspect secondary means of escape balconies at Montague Estate, and more recently a drone survey has been used to supplement the inspection regime and identify any balconies where there are any potential barriers. We also routinely test the fire alarm systems at Montault Road Lodges to ensure they are operating effectively, and work closely with local staff and residents in managing fire safety in all sheltered blocks.

3.9.10 In addition to the routine fire safety work we carry out to our stock and the further immediate reassurance measures taken following the Grenfell Tower fire, particularly in relation to external wall insulation. We have also been carrying out a range of further measures to continue to improve our approach to fire safety.

3.9.11 We are doing further work to ensure the integrity of compartmentalisation, including establishing a programme of inspecting compartmentalisation of properties in high priority blocks when they are void.

3.9.12 A number of management arrangements are also being put in place to ensure more effective management of parking on estates. This will not
only address the increased parking pressures on estates, but more significantly will address fire safety. The measures will restrict parking in the undercroft of blocks as well as facilitate access for emergency services.

3.10 Resident Engagement

3.10.1 In addition to an immediate letter drop to all residents in high rise blocks, the Council has undertaken a range of activities to address fire safety with residents.

3.10.2 A series of drop in sessions have been held at each of our high rise blocks for residents to meet with housing officers and discuss any queries or concerns they had around fire safety, find out more about the fire evacuation plans for their block as well as discuss how they can help reduce the risk of fire and what to do in the event a fire occurs.

3.10.3 In addition we continue to provide information at sign up, we have developed a set of frequently asked questions, placed specific information in residents news and on our website to keep residents informed about fire safety issues.

3.10.4 We have also attended block walkabouts with residents on fire safety as well as met with a number of TRAs to discuss fire safety issues.

3.10.5 Our fire safety leaflets have also recently been reviewed.

3.10.6 The Fire Brigade have also been present at all our summer resident fun days providing advice and information on fire safety.

3.10.7 Further management responses are being developed in respect of enforcement in relation to leasehold owned homes including gas certificates, unauthorised alterations and ensuring front entrance doors meet fire safety standards. We are working with a number of other Councils in developing and refreshing our policies and procedures in respect of leasehold enforcement activity.

3.11 Fire Brigade

3.11.1 We are continuing to work closely with the Fire Brigade on all aspects of fire safety and meetings have been held with the Borough Commander to ensure close working on all aspects of fire safety. High priority blocks have been identified for reassurance visits by the fire brigade and the fire brigade are also carrying out unannounced inspections. We are also continuing to work closely with the fire brigade on fire exercises at key blocks and are represented on the Councils Emergency Planning Group.

3.12 Sprinklers

3.12.1 Following the fire at Lakanal in 2009 the coroner made a number of recommendations one of them was ‘Social housing providers should be encouraged to consider the retro-fitting of sprinklers in all existing high rise buildings in excess of 30 metres in height.’
3.12.2 This did not become legislation and remained a recommendation. However following the recent fire at Grenfell Tower, a number of local authorities including Nottingham City Homes, Barnet Council and Croydon Council have stated that they will consider adding sprinklers to existing high rise blocks. It is however widely anticipated that retrofitting of sprinklers will be a recommendation from the Grenfell Tower enquiry.

3.12.3 In March 2017 the housing service successfully bid for resources from the Fire Brigade Community Safety Investment Fund to carry out retrofit sprinkler installation to three sheltered blocks. The funding secured was £356k. Working to progress these schemes is underway and we are working closely with the Fire Brigade in the development of the schemes. The Fire Brigade particularly prioritise installation of sprinkler systems where there are vulnerable residents, particularly the elderly who have a higher than average fire risk.

3.12.4 Advantages of Retrofitting Sprinkler Systems:
   a) Increased safety to residents
   b) Reduced risk to Local Authority
   c) Reduced risk of property damage
   d) Increased peace of mind for residents
   e) Potential reduction in insurance cost

3.12.5 Disadvantages of retrofitting Sprinkler Systems:
   a) Additional capital and maintenance cost
   b) Overcoming resident preconceptions and anxieties
   c) Leaseholder charge implications
   d) The difficulty in persuading residents to accept the disruption and inconvenience
   e) Impact on residents decorations
   f) Potential for legal intervention where residents refuse
   g) If not all properties are installed this could result in a compromised system
   h) Risk of malicious activations both in a residents property or in a communal area
   i) Installing following the recent fire may have increased cost and quality implications as installer resources become stretched

3.12.6 The table below are the budget costs to install sprinklers to the Councils high priority blocks:

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tower Blocks</td>
<td>£1,552,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>High Rise Blocks</td>
<td>£1,102,500.00</td>
</tr>
<tr>
<td>Sheltered</td>
<td>£1,610,000.00</td>
</tr>
<tr>
<td>Hostels</td>
<td>£399,000.00</td>
</tr>
<tr>
<td>Montalt Road Lodges</td>
<td>£305,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£4,969,000.00</strong></td>
</tr>
</tbody>
</table>

1.1.2 These budget costs are based on rates received to enable us to bid for CSIF funding for the sheltered blocks. The rates have been adjusted accordingly for tower and low rise blocks.

1.1.3 However it must be noted that these costs were received before the Grenfell Tower fire and it is not possible at the moment to predict the effect the fire will have on industry costs and resources. Housing providers will invariably commence programmes to retrofit sprinklers to their blocks, so costs will in all likelihood rise.

1.1.4 Sprinkler systems require a service and maintenance visit annually. This involves an inspection and test in every individual property where the system is installed and also where they are installed in communal areas. This will obviously have implications around obtaining access similar to those we experience in delivery of other regular inspection services.

1.1.5 Leasehold owned properties make up approx. 30% of the homes in blocks and therefore the effectiveness of any system would be dependent on successfully installing sprinklers in leasehold owned homes.

1.1.6 Normally works internal to a leasehold home would be a matter for the leaseholder, but it is considered that the installation of sprinklers in individual flats is intrinsically linked to the protection of the structure of the building. In this case we can require this work and for it to be rechargeable.

1.1.7 As stated above a programme to retrofit sprinklers requires access to all dwellings within a block, involves detailed resident engagement and consultation and intensive site management.

1.1.8 The learning from the existing funded schemes will therefore inform future schemes. It is proposed to commence a programme of retrofitting sprinklers and to set aside budget provision of £500k per year from 2018/19 to enable a programme to be implemented. Any programme will be developed on a risk based approach taking into account the vulnerability of the residents, height of block, existing design features as well as existing fire management arrangements. Deliverability as well as other planned investment/initiatives will also need to be taken into account.

3.13 *Investment in Fire Safety*
3.13.1 Waltham Forest has consistently made resident safety a high priority and this includes Fire Safety.

3.13.2 A specific programme to address fire safety works was carried out 2010/11

3.13.3 A revenue provision of £200k per year is set aside to carry out any identified works required following FRA inspections.

3.13.4 In addition the Council has a range of programmes within the overall investment programme that addresses fire safety. This includes emergency lighting upgrades, replacement of front entrance doors, fire stopping associated with works as well as works to communal areas

3.14 Government Funding

3.14.1 DCLG have made it clear that any costs of remediation work are the responsibility of the building owner. DCLG have also stated that there will be funding flexibilities for the cost of essential works. However those London Councils who have applied for additional funding for sprinkler programmes have been advised that this is not essential works and therefore no funding can be made available.

3.14.2 The Secretary of State has also indicated that a new formula for social housing rents will be announced in the near future. Any reversal of the Government’s 1% rent reduction would potentially release more resources for fire safety investment.

3.15 Registered Providers and Private Sector Housing

3.15.1 A number of Registered Providers (RPs) have stock within the Borough of a range of tenures. All have been contacted about the nature of their stock and any actions identified.

3.15.2 Two blocks have been identified as having ACM panels that have failed the current testing regime. The RP affected is working closely with the Fire Brigade in respect of their interim arrangements as well as their proposed longer term strategies. At present these are being managed in situ. The Council has offered support to those affected and being regularly updated.

3.15.3 DCLG have concerns at the low level of response to the testing provision by private sector block owners. As a result DCLG have recently written to all Councils stating that they expect Councils to use their powers in respect of the private sector to inspect and enforce fire safety compliance. This has been challenged by local Councils and DCLG have confirmed they will look further at this issue. The responsibility for enforcing fire safety in privately owned blocks of flats is shared between the Council and the London Fire Brigade.

3.15.4 The Council is continuing to take steps to identify all privately owned residential blocks of 6 or more floors and will complete audit checks, involving the fire brigade as necessary, to determine whether any ACM cladding is present and to make a wider assessment of the adequacy of fire safety measures in these buildings.

3.16 Building Control
3.16.1 The current building regulation standards for fire safety, and particularly externally-fixed cladding and insulation on buildings will be subject to close scrutiny by the Grenfell Inquiry. They are being reviewed independently by DCLG and we are watching closely for any recommendations and changes that are likely to come out of these investigations. We will implement the changes through the building regulation process where we are able to do this.

3.16.2 We have identified all private-sector housing blocks in the borough over six storeys and carried out initial checks to identify ACM panels. There have been no further unreported discoveries. If there is, we will take action to ensure the owner carries out the necessary testing regimes.

3. OPTIONS & ALTERNATIVES CONSIDERED

3.1 This Report primarily sets out how the Council is fulfilling statutory duties and responsibilities

3.2 There is no statutory requirement at present to install sprinklers retrospectively and it would therefore be possible to defer a decision on this until guidance and recommendations for the Grenfell Tower enquiry and the review of building regulations are available.

4 SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

4.1 The information set out in this report is consistent with the requirements of the Regulatory Reform (fire safety) Order 2005.

4.2 The proposals for sprinklers could prevent the future spread of fire and reduce impacts for individuals and their homes.

5 CONSULTATION

5.1 Consultation has been carried out with residents through specific letters to residents of high rise blocks, drop in sessions and specific block walkabouts. In addition the Fire Strategy has been the subject of consultation with the Fire Brigade and the sprinkler proposals for the three sheltered blocks are subject to close working with residents and the Fire Service.

6 IMPLICATIONS

6.1 Finance, Value for Money and Risk

6.2 The HRA Capital Budget is agreed in October/November each year as report of the HRA MTFS report to Cabinet. This outlines £81.2m as set aside for major works to existing stock over the next 5 years to 2021/22.

6.3 The total cost of installing sprinklers to all high priority blocks is estimated at £4.969m although a share (up to 30%) may be rechargeable to leaseholders and will be subject to leasehold consultation. The estimates are based on March 2017 valuations (pre Grenfell) so it is very likely that final cost will exceed the initial figure.
6.4 The proposal is to set aside £500k from the major works budget allocation per annum to commence the installation programme. This would be line with the resource and expertise capacity that is expected to be available.

6.5 The alternative is to propose a front loaded one or two year programme. However, this is thought be unrealistic in terms of resources available, as well as the need to significantly cut back on other decent homes work to accommodate within the budget.

6.6 For 2017/18 a one off grant of £356k was secured from London Fire Authority to fire sprinklers in 3 sheltered blocks. Any further grants that can be secured will be used to supplement agreed budgets.

6.7 The government has not made any final announcement regarding funding support towards fire safety works, but have indicated that Authorities should treat this strictly as a landlord duty.

6.8 Post implementation there will be annual running/testing costs which will need to be contained within the existing revenue budgets. This is estimated at £40-£50 per unit per annum (£70k-90k in total). There is an annual revenue budget of £200k for Fire Risk Assessments at present, where these costs will have to be managed from.

7. Legal

7.1 The Housing Act 2004 brought in the Housing Health and Safety Rating System (HHSRS) which considers 29 categories of potential hazards, one of which is fire. Under the HHSRS, any residential premises should provide a safe and healthy environment for any potential occupier or visitor. A dwelling should therefore be designed, constructed and maintained with non-hazardous materials and should be free from unnecessary and avoidable hazards.

7.2 The Regulatory Reform (Fire Safety) Order 2005 introduced duties in relation to fire safety in the common areas of houses in multiple occupation, flats, maisonettes and sheltered accommodation, in which personal care is not provided. The duty is placed on the ‘responsible person’, i.e. the Council where it is the social landlord. Risk assessments must be kept up to date and works carried out accordingly.

7.3 Under the Gas Safety (Installation and Use) Regulations 1998, the Council as a Landlord must ensure that the gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer’s instructions and Landlords must also ensure that a gas safety check is carried out annually on each appliance/flue.

7.4 The report asks Cabinet to note how the Council’s current arrangements in respect of fire safety are also in compliance with the above.

7.5 Legal Services have been working with Housing Services in advising on remedies available where access to inspect is not being provided, or other actions required, and appropriate enforcement action will be taken where needed.
8. Equalities and Diversity

8.1 An equality analysis screening has been completed (Appendix 1) which determined that there is no potential for negative impacts on those with protected equality characteristics arising from the proposals contained in this report. Additional fire safety measures such as the proposed programme of installation of sprinklers in high priority blocks will be beneficial for all residents including those from equality groups.

9. Sustainability (including climate change, health, crime and disorder)

9.1 This Report provides a review and update on fire safety in LBWF residential properties and there are therefore no sustainability implications arising directly out of this Report. Any sustainability implications related to types of materials used, both existing and proposed, will become clearer once the Grenfell and Building Regulation Inquiries report in the future and when detailed proposals are developed in response.

9.2 A key sustainability aim remains to ensure energy efficiency measures are considered as part of any future improvements, provided that robust fire safety standards are met. Any future cladding or EWI proposal will need to ensure both of these aims and requirements continue to be taken into account.

10. Council Infrastructure

10.1 No direct implications

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)

None.