

CABINET - 19TH OCTOBER 2017

Report of the Chief Executive Lead Member: Councillor David Slater

Part A

ITEM 12 FIRE SAFETY MATTERS

Purpose of Report

To provide details of the position in respect of a number of fire safety matters as set out and agreed by full Council at its meeting on 26th June 2017 (Council Minute 22 - 2017/18).

Recommendation

That Cabinet endorses the actions being taken and considers whether any further actions are required by this Council in respect of the matters.

Reason

To ensure that the position in respect of the fire safety matters outlined has been considered and further action is taken where required.

Policy Justification and Previous Decisions

At its meeting on 26th June 2017 and following the Grenfell Tower fire, full Council considered a position statement submitted under Full Council Procedure 9.10 entitled Fire Safety in Council Properties. It was agreed that a report should be submitted to the Cabinet on the subject of the position statement and other issues relating to fire safety raised by councillors in the debate at that meeting (Council Minute 22 - 2017/18).

Implementation Timetable including Future Decisions and Scrutiny

Any further actions identified by Cabinet at this meeting will be implemented as per the decision and be the subject of further reports to the Cabinet where required.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications associated with the recommendation that the Cabinet considers the information provided in the report.

Risk Management

There are no specific risks associated with the recommendation that the Cabinet considers the information provided in the report.

Key Decision:

No

Background Papers:

[Report to Council 26th June 2017 – Item 8 –
Position Statement](#)

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Part B

Background

1. At its meeting on 26th June 2017 and following the Grenfell Tower fire, full Council considered a position statement submitted under Full Council Procedure 9.10 entitled Fire Safety in Council Properties. It was agreed that a report should be submitted to the Cabinet on the subject of the position statement and other issues relating to fire safety raised by councillors in the debate at that meeting (Council Minute 22 - 2017/18).
2. As set out in the above minute, full Council resolved that the report to be submitted to the Cabinet should provide:
 - the updated position regarding fire safety in Council properties and the types of cladding that had been fitted to some of those properties;
 - the position in respect of properties owned by Registered Providers;
 - the position in respect of student accommodation, particularly high-rise accommodation on the Loughborough University campus;
 - a review of the emergency planning measures that are in place.
3. Council Minute 22 – 2017/18 is set out in full at Appendix 1 to this report.

Role of Leicestershire Fire and Rescue Service

4. The Leicester Fire and Rescue Service confirmed in June 2017 that its main priorities in the delivery of their response activities following the Grenfell Tower disaster are:
 - To provide public assurance and advice about safety concerns;
 - To confirm that all high rise buildings are safe and fit for purpose they are being used for.
5. The Leicestershire Fire and Rescue Service is working closely with the Local Authorities, private landlords and other housing agencies to provide a strong, proportionate and considered response to the concerns that are being raised. Three priority response levels have been identified and a risk based approach to address concerns is being rolled out. The three priorities are:
 1. To address all of the concerns as they apply to buildings that consist of eight or more floors;
 2. To address all of the concerns as they apply to buildings that consist of five to seven floors;
 3. To address all of the concerns as they apply to buildings that consist of up to four floors.

To this end a list of all buildings within each of the categories has been identified. All buildings within priority 1 and 2 have been identified and visited. Leicestershire Fire and Rescue are liaising with residents and owners and reviewing fire safety risk assessments. Activities to respond to priority 3 buildings will commence following completion of priority 1 and 2 buildings.

Fire Safety in Council Properties

6. The Council does not own any high rise buildings. The Council does not own any buildings that have been clad using Aluminium Composite Material (ACM) such as that used at Grenfell Tower. The Council does not own any buildings that are the subject of the Department for Communities and Local Government Building Safety Programme. The purpose of the programme is to identify buildings which are of concern through a thorough checking and testing process.
7. The Council has installed external wall insulation (EWI) at some of its houses in the past. The system used is not the same as that used at Grenfell Tower, and as stated no ACM has been used. The system certificate shows compliance with current Building Regulations with regard to relevant requirements of Part B, Fire Safety. The system has a Class 0 surface spread of flame classification.
8. To provide reassurance, on 26th June 2017 the Council wrote to 1042 tenants where EWI has been installed. A further mailing was sent on 30th June 2017 to 69 owner occupied households at former Council homes where EWI has been installed.
9. 12 households contacted the Council in response to the mailing, and all of those households have been contacted, advice has been given, and inspections have been undertaken where appropriate.
10. Through a procurement process, we are currently liaising with potential specialist contractors to undertake any remedial works required to our properties with EWI, and to implement a preventative maintenance programme for the future.
11. The Council continues to work with Leicestershire Fire and Rescue Service, and complies with the Regulatory Reform (Fire Safety) Order 2005, undertaking a range of fire safety duties to ensure that our premises are safe. These measures include (but are not limited to):
 - suitable fire doors on all flats and in communal areas;
 - annual testing of smoke alarms;
 - monthly and annual checks of emergency escape lighting in communal areas;
 - compartmentation to reduce the risk of fire spreading;
 - monthly checks of the communal areas and escape routes to ensure that they are free from obstruction;
 - the use of flame retardant paint to achieve a class 0 rating in communal areas;
 - suitable floor types at corridors and staircases in communal areas;
 - no smoking policy in communal areas.
12. To keep our most vulnerable residents safe, over the period 20th July to 2nd August 2017 the Council undertook supplementary fire risk assessments and safety hazard inspections at all Council owned blocks of sheltered accommodation.

Properties owned by Registered Providers

13. There are 14 Registered Providers (formerly known as Housing Associations) with housing stock in the Borough. One of the Registered Providers Stonewater has 3 x 5 storey blocks of flats located in Loughborough, 2 blocks in Charteris Close and 1 in Gallico Close. Stonewater visited the properties in June 2017 to review the fire risk assessments that have been completed and have informed the Council that the buildings are not clad in Aluminium Composite panels. Stonewater have written to their tenants to reassure them that the assessments have been completed and that the buildings are not clad in Aluminium Composite panels.

Student Accommodation

14. There are only two properties in Charnwood that provide accommodation for students that are above 8 storeys in height. Both of these are on the University Campus and are owned and operated by the University themselves. The buildings are not clad in Aluminium Composite panels.
15. A further five residential buildings in Loughborough have been identified by the Leicestershire Fire and Rescue Service that are of medium height (5-7 storeys) and four of these are known to provide accommodation for students. One of these four has been identified as having cladding on part of the building.
16. The Fire and Rescue Service have said that if a building is clad and this cladding fails fire safety tests this does not necessarily mean the building is unsafe to occupy from a fire safety point of view. It may be that the risk can be mitigated by passive and active fire safety measures and that overall no action or little action needs to be taken. However, if it is considered that active and passive measures are inadequate, advice and guidance about additional measures will be agreed with the building owner or responsible person. These additional measures could fall within a range of different options that will be designed to ensure ongoing public safety.

Emergency Planning Measures

17. The Council is a partner member of LLR Prepared, which is the Local Resilience Forum for the policing area covering Leicester, Leicestershire & Rutland. LLR Prepared has statutory responsibilities arising from the Civil Contingencies Act 2004, which requires specific organisations within a policing area (including the blue light services, local authorities and relevant health bodies) to work together to prepare for, respond to and recover from different types of emergencies and incidents.
18. LLR Prepared delivers emergency planning by:
 - Co-operating and sharing information to enhance co-ordination and efficiency between partners;

- Assessing the risk of emergencies occurring and using this to inform contingency planning;
 - Putting in place:
 - > emergency plans;
 - > business continuity management arrangements;
 - > arrangements to warn, inform and advise the public in the event of an emergency or incident;
 - Making information available to the public about civil protection matters;
 - Providing advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only).
19. Above all, the partners within LLR Prepared are required to respond in the event of emergencies, in their respective roles and jointly, to safeguard the lives, property and wellbeing of residents, communities and businesses and to mitigate the consequential impacts.
20. Preparing for such events is part of the day to day job and ensures LLR Prepared is ready for emergencies and major incidents. This involves:
- Risk assessments – assessing the type of hazards that might affect our region;
 - Preparing plans – together agreeing strategies and process, writing the plans (there are more than 20, each addressing a different type of incident or event);
 - Training & exercising – a schedule of training, testing and exercising which ensures partners and their staff are familiar with the plans.
21. The plans which would be relevant in the event of a major fire in the Borough are:
- Major Incident Plan: a Charnwood specific plan setting out the planned responses to any major incident within the Borough;
 - Emergency Centre Plan: a multi-organisation plan covering Leicester, Leicestershire and Rutland providing details of all the identified emergency centres where local residents and other people affected by a major incident could be accommodated, and the procedures for running such a centre.
22. There are 51 identified Emergency Centres across Charnwood, categorised into 4 different tiers based on the potential number of people they can accommodate: 3 x Tier 1 centres (the largest), 34 x Tier 2 centres, 5 x Tier 3 centres, and 9 x Tier 4 centres (the smallest).
23. The Council is also a member of the Leicester, Leicestershire & Rutland Resilience Partnership, which comprises all the local authorities in the area. The Partnership employs a team of experienced Resilience Officers who offer expert support to all the member authorities, and has a 24 hour a day out of hours on-call service.

Extract from minutes of full Council 26th June 2017“22. POSITION STATEMENTS

To consider the following position statement submitted under Full Council Procedure 9.10.

A. Fire Safety in Council Properties

The Leader had given notice of the submission of a position statement on fire safety in Council properties (item 8 on the agenda filed with these minutes).

The Leader of the Council introduced the position statement and began by expressing, on behalf of the Council, profound sadness at the events that had happened at the Grenfell Tower and sympathy for the bereaved and injured. The Leader confirmed that the Council did not own any high-rise accommodation and when cladding some of its properties had used different materials to those used at the Grenfell Tower. The Council had checked the properties of the cladding it had used and would be writing to tenants with cladding on their buildings. Copies of the letter sent to tenants would be provided to councillors. The Leader also referred to the low-rise blocks owned by the Council and the fire safety measures that were in place there.

The following issues were raised by councillors:

- (i) The position statement was welcomed as was the promptness with which it had been produced.
- (ii) Clarification was sought regarding the position of low-rise residential blocks owned by registered housing providers, including those for which the Council had nomination rights through the choice-based lettings system. In particular, the Leader was asked whether those registered providers had been consulted and asked to check the fire safety of their blocks.
- (iii) Reference was made to the different types of panels that were available for cladding buildings and their different fire resistance properties. Clarification was sought as to the properties of the panels used by the Council.
- (iv) Reassurance was sought that the Council's emergency plans for dealing with incidents such as major fires were regularly reviewed and up to date.
- (v) There were many aspects of building design that contributed to fire safety. It was likely that there would be a large number of lessons to be learned for the whole of the building industry.

In summing up, the Leader stated that inquiries were still at an early stage. He stated that he would, therefore, wish to see a further report being submitted to

the Cabinet that included the issues raised by councillors in the debate. The Leader also referred to high-rise student blocks on the Loughborough University campus and stated that there had been consultation with the University and registered providers regarding fire safety. The Leader also stated that emergency plans were regularly reviewed.

It was proposed by Councillor Parton, seconded by Councillor Grimley and

RESOLVED that the subject of the position statement be referred to the Cabinet.

Reason

To enable the Cabinet to consider the matter further, including details of the updated position regarding fire safety in Council properties and the types of cladding that had been fitted to some of those properties, the position with respect to properties owned by registered providers and student accommodation, particularly high-rise accommodation on the Loughborough University campus, and reviewing the emergency planning measures that were in place.”