

<b>Committee(s)</b>	<b>Dated:</b>
Barbican Residents Consultation Committee Barbican Residential Committee	10 September 2018 17 September 2018
<b>Subject:</b> Fire Safety Update	<b>Public</b>
<b>Report of:</b> Andrew Carter Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Paul Murtagh Assistant Director Barbican & Property Services	

### Summary

The purpose of this report is to update Members on the progress that has been made in relation to fire safety matters since the last update report submitted to Committee in March 2018.

### Recommendation

Members are asked to note, consider and comment on the report.

### Main Report

#### Background

1. In September 2017, a detailed report was brought to this Committee to update Members on the City Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower, to inform Members on the subsequent actions taken by the CoLC. This report outlined:
  - Fire safety measures in place prior to the Grenfell Tower fire;
  - Our immediate response to the Grenfell Tower fire;
  - The next phase of work to be undertaken;
  - Issues for consideration for possible future inclusion in programmes of work.
2. Subsequently, further update reports were brought back to Committee in November 2017 and March 2018. In addition, at its meeting on 4 June 2018, the Committee received a further report entitled 'Fire Safety Review', which informed Members of the work that has been done on potential improvement works to enhance the safety of the CoLC's Barbican Residential Estate and its residents in

the event of fire. The report also sought guidance from Members on the strategic direction the CoLC should take in its future approach to fire safety.

3. This paper is intended as a further update.

## **Considerations**

### **Automatic Water Fire Suppression Systems (Sprinklers)**

4. At its meeting on 4 June 2018, the Barbican Residential Committee (BRC) considered an independent feasibility study into the fitting of sprinkler systems into the CoLC's eight tower blocks which included Lauderdale Tower, Cromwell Tower and Shakespeare Tower on the Barbican Estate. The study was carried out by Butler & Young Associates, a specialist independent firm of mechanical and electrical consulting engineers.
5. The BRC also considered the recommendation of the Director of Community and Children's Services to consider the retro-fitting of sprinklers to the three high-rise tower blocks on the Barbican Estate subject to funding and planning approval. Members subsequently agreed that the retro-fitting of sprinklers to the high-rise tower blocks on the Barbican Estate was unnecessary and should not be pursued.

### **Fire Doors**

6. As part of the work we have been doing in relation to fire safety, we identified a small number of front entrance doors and screens from properties on the Barbican Estate to be sent away for destructive fire resistance testing. As a result of significant capacity issues with the testing facilities, the earliest date we were given for testing was Saturday 2 June 2018.
7. Although the outcome of the testing could not be incorporated into the report considered by the BRC at its meeting on 4 June 2018, a verbal update was provided by the Assistant Director Barbican & Property Services. Members were advised that the door set tested had remained resistant to fire for 36 minutes and as such, had effectively passed the test for fire resistance.
8. At the time of writing this report, some 13 weeks after the testing was carried out, we have still not as yet received the report from the testing authority confirming its findings. However, we have been able to study a video of the actual test itself, which does confirm the door test did indeed remain resistant to fire for 36 minutes. However, there is a concern that the smoke from the fire passed through the door within 5 minutes of the start of the test. Further work is needed, and is being done, to understand the impact of the smoke penetration and how the door sets can be upgraded to give greater protection against the passage of smoke.

### **Fire Risk Assessments**

9. Frankham Risk Management Services Limited was commissioned to carry out new Fire Risk Assessments (FRA's) for each of our residential blocks including those on the Barbican. These new FRA's are much more detailed than in previous years covering, not only those areas previously inspected, but also other areas of concern raised since the Grenfell Tower fire.
10. Previous FRA's carried out on Barbican have been Type 1 FRA's as required by legislation. The new FRA's are Type 3, which go beyond the requirements of the Regulatory Reform (Fire Safety) Order 2005, covering all that is required for a Type 1 FRA but also providing for an assessment of the arrangements for means of escape and fire detection (i.e. smoke alarms) within a sample of the properties (typically around 10%). A Type 3 FRA is a non-destructive survey but, the fire resistance of doors to rooms and compartmentation within the property is considered.
11. The Type 3 FRA's for the Barbican have now been completed and following analysis by staff in Property Services, Estate Management and by the City's Fire Safety Advisor for accuracy and detail, have been published on the City's website.
12. As part of the new FRA process, urgent recommendations, though very few, have been addressed as a priority and a detailed Action Plan has been developed to help us plan, programme and implement all other recommendations as appropriate. The Action Plan is attached at Appendix 1 to this report.

## **Estate Management**

13. Since the last meeting of the BRC on 4 June 2018, there have been several tasks completed and processes implemented that will go some way to further ensuring the safety of residents on the Barbican Estate. These include:
  - The completion of fire escape/balcony inspections across the estate covering over 9 miles of balconies. A robust approach has been taken in relation to the removal of items obstructing the balconies and a re-inspection of some of the void areas is planned.
  - The Estate Services Team has commenced an inspection of the car parks to ensure that all unauthorised and abandoned items are removed.
  - All 36 'Premises Information' boxes at the entrances to the blocks and car parks have been updated to include Estate plans, block plans, and contact numbers for the emergency services.
  - Most of the portable fire extinguishers have been removed from the communal areas of the blocks and car parks (those in the plant rooms that are provided for use by competent persons, are currently being tested).
  - The new landlord's approval process has been picking up on unauthorised structural alterations by leaseholders and discarded trade materials and general waste left by contractors.
  - We have carried out a detailed survey for the development and implementation of a programme for 5-year fixed wiring testing in common areas. Work is now underway.

## **Inspections by the London Fire Brigade (LFB)**

14. As part of the government's response to the Grenfell Tower tragedy, fire services across the country have been instructed to carry out ad-hoc inspections on residential flat blocks to ensure that they comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and to ensure that appropriate FRAs are being carried out.
15. The LFB has carried out several ad-hoc inspections on the City Corporation's residential blocks in the last few months. Members will recall that we did receive a Deficiency Notice for Willoughby House which, was challenged by the City's own Fire Safety Advisor as being incorrect. Despite further emails from our Fire Safety Advisor, we have still had no response to our challenge and the LFB has not pursued this matter.
16. On 15 August 2018, the LFB carried out an unscheduled and impromptu inspection at Breton House on the Barbican Estate. Although, the LFB has not issued a formal Deficiency Notice, it raised some areas of concern. These are outlined below, with our responses in brackets and italics:
  - There are excessive gaps of between 5 to 6mm to individual communal entrance doors.  
*(This is consistent across the whole of the Estate and is an inherent design feature. This will be considered further in the Fire Management Surveys to be carried out on the Estate.)*
  - There is no provision for a standard drop-down key for the LFB to use to access the building at all times.  
*(This issue arose during the recent Cromwell Tower Fire exercise and the LFB accepted that as the Estate had 10 dedicated 24/7 Concierge services points, communal keys to the blocks could be obtained at all times.)*
  - The inlet to the dry riser is inaccessible to the LFB.  
*(This was resolved on the day of the inspection.)*

## **Resources**

17. As Members will appreciate the level of work relating to fire safety that has arisen, and continues to arise, in the aftermath of the Grenfell Tower fire has been unprecedented. The vast burden of this work has fallen on the existing staff within the Housing Property Services and Housing and Barbican Estate Management teams. Staff have responded commendably to the challenge that this considerable amount of extra work has thrown up and their efforts have been reflected in the positive feedback we have received from residents in dealing with, and allaying, their fears in relation to fire safety in their homes.
18. We have previously alerted Members to the potential need for additional resources to ensure that we are able to deal effectively with the fire safety improvement measures that are necessary.

## **The Hackitt Review**

19. Following the Grenfell Tower fire, the Home Secretary, Amber Rudd and the Communities Secretary, Sajid Javid, commissioned Dame Judith Hackitt to conduct a review into building regulations and fire safety. The review, which was carried out independently of government, has a particular focus on regulations as they apply to high-rise residential buildings.
20. Dame Judith Hackitt's 'Independent Review of Building Regulations and Fire Safety' was published on 17 May 2018. The review is 156 pages long. There are 53 recommendations contained in the review, some of the key ones are summarised at Appendix 2 to this report.
21. It is fair to say that the Hackitt review has been met with something of a mixed reaction by professionals within the industry. Some think the report is underwhelming and those who expected the review to provide answers and clear direction, are largely disappointed.
22. The biggest change in thinking in the Hackitt Review is the creation of a two-tier system, whereby high-rise buildings will be subject to a different system to other buildings which, creates an arbitrary 10-storey cut off point. This has drawn considerable criticism as, by inference, blocks of less than 10 storeys are 'overlooked' and it fails to take into consideration other high risk buildings such as hospitals, schools and even nursing homes.
23. The Hackitt Review has also been widely criticised for failing to recommend a ban on combustible cladding although, in her response, somewhat surprisingly, Dame Judith said that it was not in her remit to look at Grenfell.
24. We are still some way from understanding the full impact of the Hackitt Review and the resulting legislative changes that may be brought about. The Ministry of Housing Communities & Local Government is presently consulting on the clarification of Approved Document B – Fire Safety in line with the Secretary of State's commitment in Parliament on 17 May 2018 to consult on clarifying building regulations fire safety guidance. The consultation closes on 11 October and it will likely be some time before we know the outcome.

### **Corporate & Strategic Implications**

25. Clearly, as well as the resources issue outlined above, there are further serious financial implications for the City in carrying out the fire safety improvements included and outlined in this report. There will also likely be a financial impact on homeowners on the Barbican Estate if these works are undertaken.
26. The City must also be mindful of the reputational damage should it decide not to take reasonable measures to improve fire safety. The key issue for Members will be to decide what action and expenditure is reasonable and proportionate to the risk.

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