

## London Borough of Enfield

### Cabinet

Meeting Date: 3<sup>rd</sup> February 2020

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**Subject:** Fire Safety – Council Housing  
**Cabinet Member:** Cllr. Gina Needs (Social Housing)  
**Executive Director:** Sarah Cary

**Key Decision:** N/A

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### Purpose of Report

1. To provide an update on progress made to date regarding the delivery of safe and secure council homes across the borough.

### Proposals

2. That Cabinet notes the comprehensive fire safety programme outlined in this report and the positive progress made to date.
3. That the Council continues to lobby central government to support the Council with the costs of building safety measures arising from forthcoming Building Safety legislation.

### Reason for Proposal(s)

4. To ensure the safety of residents living within Council owned and managed homes and to fulfil the Council's legal duties as a Landlord under the Regulatory Reform (Fire Safety) Order and the Social Housing Regulators Homes Standard and to ensure s.

### Background

5. In response to the Grenfell fire in 2018, the Council created a new Building Safety function during early 2019, within Council Housing. This reflected the importance the Council places on building safety and to ensuring the right capacity to manage the delivery of the Councils fire remediation and building safety programmes, in preparation for a new statutory framework, as detailed in the Building a Safer Futures report, published in 2018.
6. Over the last 18 months, the Building Safety team, under the direction of the Resident Safety Programme Director, has been successfully recruited and has been working across the housing area to embed improved processes and controls to ensure both new Council owned developments, and existing homes are safe for occupation.

### Main Considerations for the Council

#### Preparation for the new regulatory framework:

7. In December 2018, the government published its “Implementation plan” for delivery of Dame Hackitts recommendations from the “Building A Safer Futures” report. In the Autumn more details of the new regulatory framework have been announced. These define the context of the proposed safety case file regime and create a new competency framework for building owners.
8. In addition, the Government committed to deliver the recommendations from the Grenfell phase 1 enquiry.
9. Subsequently the Building Safety Bill and Fire Safety Bill respectively, have been drafted and are currently being consulted on. It is expected that both Bills will be laid before parliament sometime in late 2021. Details of transition periods for implementation have yet not been shared with the sector.
10. The Building Safety team is taking preparatory steps to prepare the Council for the new requirements, at an appropriate pace, as the final requirements of both Bills are as yet, not fully understood and will require secondary legislation to be brought forward, to provide the required level of detail, in order for the Council to fully respond.
11. The costs associated with meeting the requirements of both Bills however are expected to be significant, but are not yet clear. Officers, alongside London Councils and the Local Government Association continue to lobby Government for appropriate new burdens funding to allow the Council to meet the costs of these new statutory instruments, without impacting on the HRA’s ability to continue to support the wider investment in existing homes and the development and acquisition of new housing supply.

#### The Council’s High rise retrofit programme:

12. In support of our emerging asset management and sustainability strategy we are adopting a number of pilots to pursue a holistic approach to the refurbishment of our high-rise buildings. Projects will deliver not only safety, but sustainability and connectivity improvements, ensuring retained buildings, are fit for the future and support the Councils wider objectives.
13. Works at Walbrook House to re-clad the building, undertake a full internal refurbishment and remove the gas heating system, whilst delayed, due to the impact of Covid-19 on the construction sector, have now been mobilised. Initial preparatory surveys and works have been procured and design team appointments are in place. The block will be re-clad during the summer of 2021, with works being fully completed in early 2022.
14. Work has previously been completed to remove the high-pressure laminate (HPL) cladding to Bliss & Purcell House’s, and internal refurbishment works are due to commence in January 2021.

15. Retrofit schemes at the four high rise blocks at the Channel island estate and Brittany House, our twelve-storey sheltered scheme, are also due to commence in January 2021.
16. In line with the Councils commitment to retrofit suppression systems, all projects encompass the provision of in-flat sprinkler systems and we continue to lobby central government for funding to allow us to deliver on our commitment to retrofit all our high rise residential buildings.
17. Retrofit schemes at a further nine blocks are currently being procured and will be mobilised in the new financial year.
18. The programme aims to have completed retrofit work at all blocks of 6 storeys or 18 metres (whichever is greater) by the end of the 2023, thus ensuring that all blocks meet the future regulatory requirements and the risk to occupants has been reduced, to as low as reasonably practicable.

#### The wider building safety programme:

19. In addition to a focused retrofit programme across high rise buildings, and a targeted programme of passive improvements across the housing portfolio, substantial capital investment is being committed across the remaining homes within the ten year business plan including;
  - a three-year term, flat fire door replacement programme (which has already been awarded) which will deliver safety and security improvements to circa 8,000 tenanted properties;
  - a fire detection and warden call replacement programme, which is currently being tendered for sheltered schemes, which will be followed in 2021/22 by a suppression installation programme
  - a borough wide emergency lighting programme, over a three year period to ensure all buildings have emergency lighting provision.
20. Council homes have been historically fitted with in-flat fire detection (currently 98% of homes are covered) and we will be seeking to install the remaining homes and upgrade existing installations to current standards, over the next five years, via our new M&E services contract.

#### Housing management policies and processes:

21. A full review of the council's housing policies and processes has now been completed including: person centric risk assessments (PCRA); housekeeping in communal areas; the provision of wayleaves; the control of third parties operating within the residential portfolio; the control of key meters in landlords' areas and the control of access to landlord-controlled areas and roofs; aids and adaptations; repairs policy; alterations policy etc.
22. Where residents, living in high rise residential blocks, are unable to self-evacuate in the event of an emergency, they will be offered alternative accommodation subject to availability. This policy stance has been embedded within our new allocations policy.

23. The Council's safeguarding (hoarding) policy has also been refreshed and training for front line officers provided in conjunction with London Fire Brigade, to ensure safeguarding risks are proactively reported and cases managed, via a multi-agency approach.
24. Such policies and processes are integral to the wider building safety strategy and how the council, will manage its housing portfolio effectively in the future, to control the risks associated with occupation and maintenance activity.
25. New pages and content have also been created in the council's website to provide; fire, gas and electrical safety advice for residents.

#### Resident engagement strategy:

26. This year's high-rise holistic projects are being utilised as a vehicle to engage with residents to assist in the development of a new engagement strategy.
27. A new "resident and neighbour charter" has also now been developed, which will underpin the current tenancy agreement and lease covenants.
28. A communication strategy to support the engagement programme will be developed in tandem, which will deliver improvements to the council's web content, social media platforms and more traditional communication tools, such as newsletters and magazines, in addition to identifying new potential engagement opportunities.

#### Building internal resources, competence and resilience:

29. The Council is operating in a highly competitive job market, post Grenfell for key skill sets, across planning, building control, construction and fire sectors, to support its building safety programme and build its capacity to align to future demand.
30. We are developing a strategic workforce development plan and engaging with the education and training sector to ensure the right routes for professional development, including of local people, in this new and important industry.

#### Supply chain competence and remedial work delivery:

31. Due to the increasing technical requirements and bespoke skills required in the fields of active and passive fire safety, a new term contract is currently being procured to deliver passive building safety works.
32. This programme will deliver communal fire door replacements and maintenance; fire stopping works; safety signage and compartmentation improvements.

33. This will ensure that all passive fire safety features are maintained by a competent contractor, thus ensuring safety is assured and the integrity of the building maintained. This contract will be mobilised this year.
34. The requirement for our M&E term contractors to hold relevant third-party certification for active systems is also being embedded into the new term contracts, which will be re-let, during 2021.

### **Safeguarding Implications**

35. A revised person centred (fire) risk assessment process has now been implemented across specialised housing and is in the process of being launched across general needs housing, to ensure vulnerable residents are safe in their homes.

### **Public Health Implications**

36. No implications returned

### **Equalities Impact of the Proposal**

37. No implications returned

### **Environmental and Climate Change Considerations**

38. In line with the emerging housing asset management strategy , all projects deliver a holistic active asset management outcome, ensuring that works encompass both safety and sustainability objectives.

### **Financial Implications**

39. The costs of complying with the Councils current statutory duties under the Regulatory Reform (Fire Safety) Order, have been quantified and accounted for within the current HRA business plan.
40. The full cost of complying with the new statutory framework, is yet unknown, until the final Bills and subsequent secondary legislation is published. The costs are however expected to be substantial and will have a significant impact on the HRA account and our ability to deliver key work programmes and sustain new delivery hence the need to lobby for new burdens funding.

### **Legal Implications**

41. Under the Regulatory Reform (Fire Safety) Order 2005, the Council as landlord must ensure that its buildings are safe from fire, that it carries out regular and periodical risk assessments and ensure that tenants, operatives, employees, visitors to the buildings and members of the public will always have access to an unrestricted escape route. As landlord, the Council must ensure that fire doors are correctly installed, that a safe escape route is provided and that fire, smoke and fume resistant emergency lighting capable of resisting these effects so as to allow safe evacuation of

the building is installed. Accordingly, the Council is required to carry out fire remediation and building safety works detailed in this Report.

42. As flagged earlier in this Report, the Building Safety Bill and Fire Safety Bill, once in force, will impose new legal requirements on the Council.
43. The Council further has power under s111 of the Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. It is empowered to enter into contracts for the discharge of its legal powers (section 1 Local Government (Contracts) Act 1997) and has a general power of competence under s1 (1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to public law principles.
44. When procuring and awarding the contracts referred to in this Report, the Council must comply with its Contract Procedure Rules, applicable procurement legislation, and its obligations with regard to obtaining best value under the Local Government Act 1999. All contracts should be in a form approved by Legal Services on behalf of the Director of Law and Governance.

### **Workforce Implications**

45. There are no workforce implications associated with this report.

### **Property Implications**

46. There are no property implications associated with this report

### **Conclusion**

47. Good progress has been made within the last twelve months to consolidate the Councils position and ensure relevant policies, process and programmes are in place to deliver significant safety and security improvements to resident homes over the next 12-month period and beyond.

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