

**OVERVIEW & SCRUTINY COMMITTEE**

27 November 2017

**ST PETER'S COURT – FIRE PREVENTION (REP 1728)****EXECUTIVE SUMMARY**

1. The Council has taken the matter of fire safety within St Peter's Court very seriously over the years and ensured that we have been compliant with the relevant legislation that ensures the building and the residents are protected. Major investment has taken place since 2000 in providing modern, safe and warm homes for our residents which are outlined in the report.
2. The recent event at Grenfell Tower in London in June this year has highlighted fire safety as a national priority. St Peter's Court in Lowestoft is the Council's only tower block and has been the focus of interest for residents, Councillors and the local media.
3. The Cabinet of the Council have requested that the Overview & Scrutiny Committee considers the background to work and actions that have taken place to date in the context of Grenfell Tower with a specific focus on the management of tenant safety.

Specifically, the Cabinet asked the Committee:

- a) To consider whether the Council's response has been timely and proportionate.
  - b) To assess whether there has been adequate and effective communication with tenants.
  - c) To establish whether the Council has an action plan that is pertinent and comprehensive and delivers actions in a timely manner.
4. This report will address these specific questions together with some additional questions raised subsequently by the Councillors from the Waveney District Council Labour Group, set out in paragraph 1.6 of this report. It will consider the recent history of work to the building, as well as the two fire risk assessments that were carried out in 2015 and 2017 and the resultant action.
  5. The position at St Peter's Court in relation to fire safety can be summarised as:
    - The Council has owned the block since it was built in 1968 and has comprehensive records;
    - Regular Fire Risk Assessments (FRA) were completed prior to the Grenfell

<p>Tower disaster, most recently in 2015;</p> <ul style="list-style-type: none"> <li>• Fire safety is predominantly ensured through the compartmentation of the flats which was provided during the construction to create 25cm thick concrete boxes. Work to date has provided reassurance that the compartmentation is not compromised;</li> <li>• The Suffolk Fire and Rescue Service (SFRS) has worked very closely with the Housing Service before and after Grenfell Tower to continuously assess and improve fire safety at St Peter's Court and are supportive of the work done to date;</li> <li>• The Council has communicated regularly with residents of St Peter's Court before and after Grenfell Tower, both face to face and in writing, in respect of fire safety and has invested in the past in fire protection and fire fighting equipment;</li> <li>• Residents are supportive of the Council, evidenced by the fact that no transfer requests have been received since the Grenfell Tower fire concerning the safety of the building;</li> </ul> <p>6. The fire safety provisions at St Peter's Court were deemed appropriate following previous actions taken on FRA's and enhancements, but in the light of Grenfell Tower, there is a desire to improve these provisions further to reassure residents. These improvements are underway with the installation of a sprinkler system to individual flats, conducting further intrusive audits of the compartmentation of the flats, the outcome of which may or may not result in extended investigations in each flat, carrying out works to the window reveals of flats, replacing the front doors to flats, and the upgrading of the current level of fire detection.</p>	
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Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	Harbour
<b>Cabinet Member:</b>	Councillor Chris Punt Cabinet Member for Housing
<b>Supporting Officer:</b>	Justin Hunt Head of Housing Services 01502 523144 Justin.hunt@eastsuffolk.gov.uk

## **1 INTRODUCTION**

- 1.1 The former Borough of Lowestoft constructed St Peter's Court, a 16 storey high rise building, in 1968 as a commitment to develop new housing and improve living standards for the community of Lowestoft. The building, in full compliance with the regulations of the day, is constructed of reinforced concrete and designed to deliver a compartmentation of each flat and provide a 'sterile' stairwell for evacuation. There has been post construction investment in fire protection and provision of fire fighting equipment such as extinguishers and alarms, fire risk assessments and annual servicing.
- 1.2 The Council's historical investment in St Peter's Court provides strong evidence of our commitment to deliver good quality homes that are safe, warm and comfortable. Since 2000 we have made significant investment in the building. External enhancements with new cladding, new roof covering, windows, electronic fob-operated front doors and CCTV, have improved the look and quality of building. Communal enhancements with the provision of a communal lounge and landscaped garden, new lift cars and mechanism, carpeting from the first floor upwards, and decoration throughout have improved the quality of life for residents living there. Finally, internal flat enhancements such as new boilers, modernised kitchens and bathrooms and rewiring have improved the tenants' homes. Fire protection enhancements are in addition to these other improvements.
- 1.3 The Council has also engaged residents in fire safety awareness and prevention over that time. Current feedback suggests that residents have confidence in the building, the Council and their safety. There have been no requests by residents to relocate from St Peter's Court since the events of Grenfell Tower. This level of confidence is positive but the fire in Grenfell Tower, resulting in a significant loss of life (estimated at 80 persons), has had a dramatic impact on the perspective of fire safety and prevention in high rise blocks at a national and local level.
- 1.4 Locally, attention has focussed on Waveney District Council as the owner of the only high rise tower block in the district. The block is entirely residential containing 90 two bedroom flats, a communal lounge and individual bin stores on the ground floor. This interest by local media and Members of the council in fire prevention and the safety of our residents has resulted in a high profile for St Peter's Court. This has provided an opportunity to engage with residents to offer re-assurance and clarity on what is being done and to get their support and cooperation on complying with requests to minimise the risk of fire in the building.
- 1.5 The Council's Cabinet and Housing Managers believe that it is important to have transparency on the safety of residents in St Peter's Court. It is necessary to ensure that the occupants have confidence in the Council and that their health and safety within the building is safeguarded. Cabinet requested that the Overview & Scrutiny Committee review actions to date at St Peter's Court, primarily to:
  - i) Consider whether the Council's response has been timely and proportionate.
  - ii) Assess whether there has been adequate and effective communication with tenants.
  - iii) Establish whether the Council has an action plan that is pertinent and comprehensive and delivers actions in a timely manner.

- 1.6 Additionally, Councillor Sonia Barker, as the leader of the Labour Group on the Council, has asked some additional questions, which are:
1. Why were the concerns of the 16 April, 2015 Fire Risk Assessment Report instructed by Mr Tim Gower Health & Safety Officer, Waveney & Suffolk Coastal District Councils not acted upon?
  2. When will the concerns raised in the Ace Fire Risk Assessment report dated the 29 July, 2017 be acted upon? The report was completed 10 days after the Full Council meeting when reassurances were given that the sprinkler system would be fitted. No other major concerns regarding Fire Risk at St. Peter's Court were raised at that meeting.
  3. What is the expected start date for the sprinkler system promised at the WDC full Council meeting in July, 2017?
  4. Has a study been undertaken as to how long it will take for Firefighters to effectively tackle a fire in the event of an incident at the Tower? There will need to be six fire engines and an aerial appliance. Currently there are only three fire engines in Lowestoft.
  5. It would make sense to have regular training for firefighters at St. Peter's Tower to ascertain just how safe it would be for our fire service to carry out rescue operations and effectively bring a fire outbreak under control at the Tower block.
  6. All WDC Councillors should be sent the two Fire Safety Assessment reports of 2015 and 2017 respectively published by the 'Lowestoft Journal' as the result of their FOI request so that all Councillors are aware of the current situation with regard to Fire Risk at St Peter's Court.
- 1.7 This report is written in response to these questions and provides the committee with relevant information to enable them to scrutinise the actions of the Council in relation to St Peter's Court since June 2017 and the Grenfell Tower disaster.

## **2 ITEMISED QUESTIONS**

### **2.1 *Consider whether the Council's response has been timely and proportionate.***

2.1.1 Following the events at Grenfell Tower in the early hours of the 14 June and the reporting on national media that morning, the Housing Team located staff at St Peter's Court from 8.00am that morning to be available to residents, to offer reassurance and listen to concerns. Feedback on the morning was that there were no concerns from residents about the block. A letter was also sent to residents (Appendix B) the same day offering reassurance and re-issuing the fire safety notification sent to all residents in 2015.

2.1.2 A coordinated Council / Suffolk Fire and Rescue Service (SFRS) reassurance visit to the block took place a week later on 21 June involving the SFRS, Housing staff and Building Control officers. This event included the Fire Service visiting residents offering fire safety advice and generally reviewing the fire safety of the building, as well as the Housing Team and Building Control officers addressing any specific enquiries. This reassurance visit attracted the local media and was regarded as being very successful, not least from comments given to the media by residents who remained confident of the Council's actions on fire safety.

2.1.3 It was established very promptly that the cladding at Grenfell Tower was a significant contributor to the spread of the fire. The Council followed closely the advice of the Department of Communities and Local Government (DCLG) and confirmed that the cladding system is very different from that at Grenfell Tower which was an ACM (Aluminium Composite Material), offering reassurance to our residents. The cladding at St Peter's Court is composed of insulation and a mesh reinforced render affixed directly to the block, avoiding any air gap between the building wall and the cladding. Consequently, there are no panels that can delaminate as was the case at Grenfell Tower. The manufacturers (STO) of the St Peter's Court cladding and the registered installer (Mullaleys) were contacted by the Council and both confirmed that the system of cladding met the building regulations at the time.

2.1.4 The Council believed that it would be appropriate to initiate a further fire risk assessment. This would ensure that a current assessment was available 'post – Grenfell' to present a more focussed report taking account of concerns being expressed at a national level about the safety of high rise blocks. A qualified independent assessor ACE Fire was appointed to carry out the assessment on behalf of the Council. This assessment took place on 18 July 2017 along with the SFRS carrying out a fire safety audit and Building Control and Housing Maintenance staff being available.

2.1.5 Two comprehensive reports were received following the assessments in July from ACE Fire (appendix C) and from SFRS (appendix D). It was ensured that the resultant action plan would manage the fire risk to residents. The action plan is dealt with in Section 2.3 of this report in response to the third question to this Committee by Cabinet.

2.1.6 The issue of compartmentation within the building was recognised by the Council as being very important, fully accepting that reassurance needs to be given to residents and councillors that no unprotected voids exist that could compromise safety. A qualified fire consultant was appointed to undertake specialist 'Type 4' fire risk assessments as detailed in LACORS purpose built blocks of flats guide and a stripped empty flat with exposed building fabric was surveyed on 22nd September 2017. The survey provided a detailed, invasive investigation of construction within the flats in addition to the thorough visual inspection of the building that had already taken place.

2.1.7 Work on the procurement of a sprinkler system to all parts of the building is being expedited following the commitment made by the Council to install a system to further reduce risk to residents and the building. We have an objective to have this installed as soon as possible and following design, procurement and installation this is expected to take place in October 2018, dependant on the installers availability and capacity and especially recognising a recent surge in demand for this type of work.

## **2.2 *Assess whether there has been adequate and effective communication with tenants.***

2.2.1 As explained in 2.1.1 above, the Council located staff promptly the same morning of the Grenfell fire at St Peter's Court to offer reassurance and that day issued a letter to everyone in the block to advise that the Council has taken fire safety seriously and reminded everyone what to do in case of a fire.

2.2.2 A coordinated Council /SFRS Reassurance Visit to the block was arranged the following week as outlined in 2.1.2 providing a good opportunity to give expert advice and reassurance to residents.

2.2.3 The Council also arranged two meetings with residents to provide information on the actions taken as well as listen to concerns that residents may have. The first of these was on the 19 July at Riverside which was attended by Officers and Councillor Bee and Councillor Punt in their positions of Leader of the Council and the Cabinet Member for Housing. Additionally, an officer from the SFRS attended and was able to respond to some of the more detailed questions on fire transmission and stay-put policy. It was at this meeting that Councillor Bee announced an intention by the Council to install a sprinkler system in the building. The second meeting was at St Peter's Court on 12 October, again attended by Officers and Councillor Bee and intended to provide an update on action taken and an opportunity to listen to concerns.

2.2.4 The Council always ensures that the caretaker for the building is available to respond to questions or refer issues back to the Housing Team. The Housing Officer for the block holds a monthly surgery which is advertised within the building and provides a regular means for residents to highlight concerns. He has advised that to date only two residents have discussed fire safety with him.

2.2.5 The Housing Officer has sent a series of letters to residents over the months to pass on information, update on progress, or advise of changes (such as the locking of sheds). Consideration is now being given to a quarterly newsletter to residents about fire safety amongst other things.

2.2.6 The Housing Team held a pre-arranged Tenants Forum at the block in September to which all residents were invited. Though this was not specifically a meeting to discuss fire safety in the block it would certainly have provided the opportunity to do so. Though residents attended, no concerns were raised.

## **2.3 *Establish whether the Council has an action plan that is pertinent and comprehensive, and delivers actions in a timely manner.***

2.3.1 The Council received two reports following the fire risk assessment from ACE Fire (appendix C) and the fire audit from SFRS (appendix D). Both of these reports were comprehensive and reflected to some extent the prevailing national concerns on high rise flats. Officers carried out detailed discussions with both authors of the reports to ensure the resultant action plan would manage the fire risk to residents.

2.3.2 A comprehensive action plan was taken directly from the recommendations in the fire risk assessment carried out and communicated to the fire service. An updated plan is attached to this report (appendix E). This action plan has become the focus for the Council in ensuring that the building is safe and is regularly updated and reported to Senior Management to ensure tasks are progressing as quickly as practically possible. The plan provides updates on actions taken and those planned to fulfil the objectives of the fire risk assessment and fire audit.

2.3.3 A key element was the issue of compartmentation within the building and managing any breaches that may have occurred in the past. The compartmentation ensures that any fire that does occur is contained within a defined area and cannot spread. The Council fully accept that reassurance needs to be given to our residents (as well as to our SFRS colleagues) that the compartmentation within the building remains robust. A specialist fire consultant that can undertake Type 4 fire risk assessments was employed in September and a vacant flat was stripped for investigation. The only potential issue is around the lounge internal windows. A small void exists with flammable material within it which can be easily be removed and replaced with fire retardant foam.

This will be protected by covering the window with a fire-rated plaster boarding and beading to the window. This is a very satisfactory position and should offer a great deal of reassurance to residents. A programme of remedial works to all the windows will start 13 November 2017 with an expected completion during week commencing 5 February 2018.

2.3.4 However, residents may undertake work themselves or use private contractors without the knowledge of the Council that could compromise the compartmentation of the building. The Council has recently implemented a Permit for Work scheme with a requirement that contractors detail the work to take place and seek prior approval before commencing. Requests have already been received and approved. This should greatly assist the management of the building though monitoring will be problematic.

2.3.5 A further important measure is the management of the shed areas on the ground floor. Residents belongings are being relocated into two managed and fire protected rooms. The third shed will be demolished to become a fire protected bike store, removing bikes from their current location in the entrance foyer to enable the opening up of a new fire escape as identified by the SFRS. The sheds have already been cleared of rubbish and doors locked to minimise a potential fire hazard and are checked daily.

2.3.6 The replacement of existing half-hour fire rated doors to all flat entrances with new half hour fire door sets (doors, frames and fire-rated ironmongery) that will overcome any potential issues with any compromised doors (e.g. gloss painted) as well as greatly enhance the look of the corridors for the residents.

2.3.7 The current fire detection system is being upgraded to a British Standard Category 'L4' as recommended by the SFRS fire audit and the ACE Fire risk assessment. The benefit of this is that it will include extra detection to our communal areas, sheds fire escape route, and the roof space (although a roof space sounder has already been installed).

## **2.4 *Why were the concerns of the 16th April, 2015 Fire Risk Assessment Report instructed by Mr Tim Gower Health & Safety Officer, Waveney & Suffolk Coastal District Councils not acted upon?***

2.4.1 The Council has always met its legal obligations with regard to fire safety in the block. Regular fire risk assessments have been undertaken, all fire fighting equipment has been annually serviced, a fire alarm system with direct notification to the fire service, and we have frequently permitted the SFRS to use the building for training purposes. A fire risk assessment (FRA) was undertaken in 2015 with an external consultant to update the existing one in place and ensure there was compliance with the current legislation. This is attached at Appendix A. The risk assessment identified that there was a 'Substantial Risk' in the building, due to (i) observed lack of fire compartmentation (partly because of building work taking place in the building at the time that affected the compartmentation), (ii) unknown risk within the shed areas and (iii) the lack of a robust fire safety emergency plan.

2.4.2 The Council responded to the FRA by instigating a range of actions. The primary risks were mitigated through an active check of the building for void spaces as had been highlighted in the report. These were located and sealed to enhance compartmentation in the building. A programme of surveys of communal spaces between floors inside cupboards of flats was carried out to identify potential breaches which were subsequently sealed with non-flammable foam.

2.4.3 The Council also issued advice to all residents in written format on fire safety which was delivered to every flat and subsequent verbal and written advice for all new tenants when signing for a tenancy in the building was implemented.

2.4.4 An installation of a new addressable fire control panel was carried out that provided actual address information of where a fire is located rather than a zoned system. This will assist the fire service in responding immediately to the affected flat when arriving at the building. A specialist fire box for the SFRS was installed that contains relevant information and plans of the building to assist them in fire control.

2.4.5 Documented checks of the fire alarms, fire doors and lighting as recommended in the assessment were implemented together with additional work not raised in the assessment such as rewiring communal parts of the building, removal of certain rooftop electrical aerial systems of third parties and retrospective fire stopping around cables. Increased control of access into the building and specifically access to the roof has also been implemented. Additionally, door seals on the communal doors that were identified in the FRA were completed with a subsequent inspection regime put in place.

**2.5 *When will the concerns raised in the Ace Fire Risk Assessment report dated the 29th July, 2017 be acted upon? The report was completed 10 days after the full Council meeting when reassurances were given that the sprinkler system would be fitted. No other major concerns regarding Fire Risk at St. Peter's Court were raised at that meeting.***

2.5.1 A qualified independent assessor was procured to carry out a post-Grenfell fire risk assessment. ACE Fire was appointed to carry out the assessment on behalf of the Council. This assessment took place on 18 July 2017 and was a non-intrusive survey of the communal areas as recommended by SFRS and appropriate because the Council has owned the building since construction and records of work are held with regular fire risk assessments carried out. A more intrusive survey carried the risk of causing problems by disrupting elements we currently know to be safe and causing major inconvenience to tenants.

2.5.2 A comprehensive action plan was taken from the recommendations in the fire risk assessment carried out (appendix E) and communicated to the fire service. The Action Plan highlights that many actions have already been taken such as the signage being updated, the refuse chute closure installed and daily inspections of stairwells. The upgrade to British Standard Category L4 of the alarm system is currently underway to enhance fire protection in the communal parts of the building. Additionally, significant work has taken place on the shed areas to ensure all sheds are secure and residents advised what is and is not permissible in them. There will be a phased closure of these sheds and one section will soon be clear to be altered to become an open bike store – minimising the risk further. Updates on the implementation of the plan are reported regularly to senior management.

2.5.3 Two issues relating to fire safety were highlighted during the July meeting with residents. Firstly, that the cladding complied with building regulations at the time, with the regulations subsequently changing in 2007 preventing that particular cladding system from being installed on buildings over 18m. Secondly, the need to confirm that the compartmentation is not breached through an audit of properties. To comply with this issue the Council are undertaking comprehensive intrusive surveys to those properties that will be vacant in the near future. Information gleaned from this approach



will determine the number of inspections and the remedial actions that will need to be undertaken to the building as a whole.

**2.6 *What is the expected start date for the sprinkler system promised at the WDC full Council meeting in July, 2017?***

2.6.1 Although the Council has announced its commitment to install a sprinkler system in the building, we are still required to follow procurement rules detailed in our Constitution. Suppliers have been contacted to discuss options and work is currently progressing on putting together a specification for the system. The specialist nature of this task means it has been outsourced. Cabinet's approval is required to progress with this and we are mindful that there are very few companies able to carry out this specialist work and there has been a step change in demand due to the Grenfell fire. Installation is expected to be carried out in October 2018 and it is intended that a vacant flat will have the sprinkler system fitted as a demonstration for residents in the block to view, being mindful of their potential concerns about disruption and visual appearance

**2.7 *Has a study been undertaken as to how long it will take for Firefighters to effectively tackle a fire in the event of an incident at the Tower? There will need to be six fire engines and an aerial appliance. Currently there are only three fire engines in Lowestoft.***

2.7.1 This is not something the Council has the authority or expertise to specifically comment on as the Fire Service is managed by Suffolk County Council. However, the fire service proposes to carry out a new firefighting exercise at the Court to provide further information on the most effective management of a fire at the building.

**2.8 *It would make sense to have regular training for firefighters at St. Peter's Tower to ascertain just how safe it would be for our fire service to carry out rescue operations and effectively bring a fire outbreak under control at the Tower block.***

2.8.1 The Council has always worked closely with the SFRS and have allowed the building to be used annually for training. Following the Grenfell Tower fire the service has asked the Council for an opportunity to carry out a full fire drill for their Officers. We are facilitating this by making an empty flat available for them to practice a smoke-filled dwelling rescue. Full coordination and cooperation with residents is being achieved by the Housing Officer for the block. This will be a valuable learning exercise for the fire service in managing a fire at the building and inform them how many vehicles and firefighters are needed to tackle a fire at the block.

**2.9 *All WDC Councillors should be sent the two Fire Safety Assessment reports of 2015 & 2017 respectively published by the 'Lowestoft Journal' as the result of their FOI request so that all Councillors are aware of the current situation with regard to Fire Risk at St Peter's Court.***

2.9.1 The FRAs from 2015 and 2017 are attached and available for the Councillors and the public to review.

### **3 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?**

- 3.1 The East Suffolk Business Plan states that the Councils will work closely with our partners in health, education, police and the voluntary, community and business sectors, as well as recognising that the health and safety of our residents is important. The management of fire safety within St Peter's Court relates to these objectives of the Business Plan.

### **4 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 4.1 This high rise block is a Housing Revenue Account building and is funded directly from the account. The cost of the works to the block is being funded from existing budgets with the cost of the Sprinkler system estimated at £250,000 - £300,000.

### **5 CONSULTATION**

- 5.1 Extensive and regular consultation with the residents has taken place and this will be ongoing to keep them aware of works to the building as well as giving reassurance. Additionally, consultations have taken place with the SFRS regarding fire safety and with other agencies such as the Building Research Establishment (BRE) and the DCLG.

### **6 OTHER OPTIONS CONSIDERED**

- 6.1 No alternative options have been considered as meeting the requirements of the fire risk assessment were necessary and the installation of a fire sprinkler system would meet the requirements laid out by the fire risk assessor and the SFRS.

### **7 REASON FOR RECOMMENDATION**

- 7.1 The Council's Cabinet has raised questions of this Committee, following the Grenfell Tower fire, asking it to examine the actions taken by the Council that have and will deliver improved fire safety to the residents of St Peter's Court high rise block in Lowestoft. The report provides details of the historic and current actions taken by the Council in terms of fire safety, to facilitate the review by the Committee.

#### **RECOMMENDATIONS**

That the Overview & Scrutiny Committee considers this report, in light of the specific questions raised by the Cabinet, and draws conclusions as to whether:

1. The Council's response has been timely and proportionate.
2. There has been adequate and effective communication with tenants.
3. The Council has an action plan that is pertinent and comprehensive and delivers actions in a timely manner.

<b>APPENDICES</b>	
Appendix A	2015 Fire Risk Assessment
Appendix B	Letter to residents 16/6/17
Appendix C	2017 ACE Fire risk assessment
Appendix D	SFRS report
Appendix E	Action Plan post Fire Risk assessment
Appendix F	Timeline of actions taken