

## THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

### HOUSING AND PROPERTY SCRUTINY COMMITTEE - 20 JANUARY 2011

#### JOINT REPORT BY THE TMO CHIEF EXECUTIVE AND CHIEF HOUSING OFFICER

#### FIRE RISK ASSESSMENTS IN RBKC RESIDENTIAL BLOCKS – PROGRESS REPORT

A report was submitted to the Scrutiny Committee in March 2010 outlining the approach RBKC and KCTMO had adopted in consultation with the London Fire Brigade's Fire Safety Team to ensure resident safety and compliance with Regulatory Reform (Fire Safety) Order in the Council's residential stock. At that meeting the Committee requested that a follow-up report be submitted in 6-9 months time to provide an update and document further progress made to address the recommendations made in the Fire Risk Assessment Action Plans. In particular, the Committee sought an update on how the high and medium risk recommendations were being progressed.

**FOR INFORMATION**

## 1. INTRODUCTION

- 1.1 The Scrutiny Committee is advised of the approach adopted and the progress made to date by RBKC and KCTMO with the programme of Fire Risk Assessments in the communal areas of the Council's residential housing blocks.
- 1.2 The Scrutiny Committee is further updated on how the recommendations from the Fire Risk Assessment Action Plans are being taken forward and what progress has been made with these to date.

## 2. BACKGROUND

- 2.1 The Regulatory Reform (Fire Safety) Order 2005 came into force in October 2006 and introduced requirements for "responsible persons" i.e. those in control of premises such as landlords and managing agents, to carry out fire risk assessments and also to ensure that there are adequate fire precautions to ensure the safety of all persons legally on the premises.

- 2.2 This legislation applies to the common parts of all residential buildings but not to individual flats.

### **3. APPROACH TO FIRE RISK ASSESSMENTS IN RBKC HOUSING STOCK**

- 3.1 To ensure that the approach to carrying out Fire Risk Assessments across the Council's Housing Stock was fully compliant with the legislation KCTMO and RBKC negotiated with the London Fire Brigade to agree the approach, the programme and the timescales for carrying out both the assessments and any works identified by them as necessary for compliance.
- 3.2 The London Fire Brigade confirmed that they considered a 3-year timescale (commencing July 2009) for completion of all Fire Risk Assessments and a 5-year timescale (also commencing in July 2009) for completion of all necessary works to be reasonable.
- 3.3 Specifically, RBKC and KCTMO then proposed and the London Fire Brigade agreed that a risk-based approach be adopted and applied to carrying out these assessments enabling the potentially higher risk blocks to be prioritised and assessed early in the programme, followed by the medium risk and then finally the low risk blocks.
- 3.4 Each Fire Risk Assessment Report would have an Action Plan setting out colour-coded recommendations. These would clearly state which actions were required to comply with legislation (red), which were necessary to comply with British Standards (amber) and which would be considered to comply with good practice (green). These recommendations would be progressed in this priority order with resources being targeted at the red and amber action points.

### **4. PROGRESS WITH FIRE RISK ASSESSMENTS IN RBKC HOUSING STOCK**

- 4.1 The Fire Risk Assessment programme for the high risk blocks was completed in late March 2010. The success of the programme was evaluated and competitive tendering was undertaken to engage the services of a further Fire Consultant to progress the programme of assessments at medium risk properties. A Fire Consultant (who was rated the best for quality and the most competitive for price) was duly appointed and this programme of assessments plus the re-assessments of the high risk blocks commenced in late September 2010 and is on target to complete within six months (by late March 2011). At this point a further evaluation will be carried out and it is anticipated that the low risk programme will then commence.

- 4.2 To date all completed assessments and re-assessments have been given a "normal " rating which our Consultants have confirmed is the best rating that an occupied residential block could ever achieve. (Our Consultants use a lower than normal / normal / higher than normal risk rating.) Additionally, the Consultants have commented that they considered these blocks to be well maintained and in many cases, particularly with the medium risk blocks very few recommendations have been made.
- 4.3 The Fire Risk Assessment Action Plans have raised a number of issues which need to be progressed. In many cases the actions have been progressed swiftly and related to issues such as -
- simple and cheap responsive items
  - changes to inspection regimes to incorporate more regular and rigorous documented checks on fire safety items such as emergency lighting, communal doors, signage etc.
  - enhancement of existing employee fire safety training programme etc.
- 4.4 However, there have also been a number of potentially more costly items. In particular, the following recommendations were made in relation to flat entrance doors of all of the enclosed blocks -
- Confirm that each dwelling door is to FR30 standard and is provided with a self-closing device
  - Consider, where not fitted, the installation of intumescent strips and cold smoke seals to each flat access door.

Initially it was necessary to establish the extent of the works required. Specifically, extensive surveying throughout these blocks was required to establish if doors were already compliant and where this was not the case could they be refurbished / upgraded or was door replacement required. Fortunately, however, it was possible to extend the scope of the stock condition survey (currently on site) to incorporate inspection / surveying of front entrance doors. This has yielded a wealth of valuable information and enabled us to assess the extent of the works that are required, the level of resources required to fund these and has further allowed us to prioritise the blocks and develop a door replacement programme. Specifically the following criteria were used to draw up the programme and ensure that works to the highest priority blocks were carried out early in the programme -

- Blocks identified by Fire Risk Assessment as requiring 30 minute fire-resisting flat entrance door with self-closing devices, cold smoke seals and intumescent strips fitted

- Blocks where the refuse chute is located in the only communal staircase
- Blocks over 4 stories with only one means of escape staircase
- Blocks where original secondary means of escape relies on entrance to another dwelling OR where secondary means of escape e.g. via roof, is no longer viable
- Blocks where specific areas of concern have been raised by the Fire Brigade

Capital funding has been made available in the current financial year which will enable this works programme to commence. A further capital bid has been submitted for the coming financial year which will hopefully allow us to continue with this programme. However, it is likely that we may have to look beyond this capital-funding which is ear-marked for FRA-related works in the coming financial year. As statutory compliance and health and safety works have been agreed as priorities in this time of restricted resources, then it is likely that budgets will need to be revisited to enable us to progress more of the outstanding fire safety works.

- 4.5 The block where the most significant amount of fire safety work has been recommended is Trellick Tower. This work includes complete refurbishment of communal fire doors to ensure they are self closing and fitted with intumescent strips and smoke seals, installation of emergency lighting, fire escape signage etc. and works are in progress. Again the London Fire Brigade have been fully briefed on the proposed works and the interim measures which have been put in place to minimise any fire safety risks whilst the works are being undertaken and prior to completion.
- 4.6 RBKC and TMO continue to meet regularly with the London Fire Brigade and keep them appraised of progress with the assessment programme and with completing the red and amber recommendations.
- 4.7 Residents have been advised in advance of the fire risk assessment at their block and we have published a series of articles in the recent editions of the resident's magazine "The Link" to further raise the profile of fire safety and this assessment programme.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The Group Finance Manager has been consulted and has no comments on the report.

## **6. LEGAL IMPLICATIONS**

6.1 The Director of Legal Services comments as follows:

This report sets out the expectations on this Council in relation to fire safety. The Housing Act 2004 sets out requirements in relation to all residential accommodation, including individual dwellings. The Regulatory Reform (Fire Safety) Order 2005 ("the Order") sets out requirements in relation to the common parts of residential buildings. Failure to comply with those requirements is a criminal offence. Further, the Order states that individual officers or members, if found to be negligent, may find themselves the subject of legal action.

## **7. PERSONNEL IMPLICATIONS**

7.1 The Director of Personnel and General Services has been consulted and he notes that there are no direct personnel implications arising from the recommendations in this report.

## **8. EQUALITIES IMPLICATIONS**

8.1 Fire Safety information and advice will be offered to residents in the seven core languages.

## **9. CONCLUSION**

9.1 It is recommended that the Scrutiny Committee notes the significant and ongoing progress being made by KCTMO and RBKC to ensure the Housing stock is compliant with this Fire Safety legislation.

**FOR INFORMATION**

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**Background Papers used in the Preparation of this Report:** None

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