

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to: **CABINET**
Report of: **Corporate Director - Place**

Date of Decision: **24th May 2018**
SUBJECT: **BIRMINGHAM CITY COUNCIL RESPONSE TO
GRENFELL TOWER TRAGEDY- ONE YEAR ON**

Key Decision: Yes
If not in the Forward Plan: **Relevant Forward Plan Ref: 5110/2018**
(please "X" box) **Chief Executive approved**
Relevant Cabinet Member(s) **O&S Chair approved**
Relevant O&S Chair: **Councillor Peter Griffiths, Housing and Homes**
Wards affected: **Housing and Homes Overview and Scrutiny Committee**
All

1. Purpose of Report

1.1 To update Cabinet on the immediate and ongoing action taken in Birmingham following the Grenfell Tower tragedy in June 2017.

To outline the follow up actions required following the report to Cabinet on 27th June 2017.

1.2 To outline the approach and criteria for prioritisation for the installation of automatic fire suppression systems, including sprinklers, in residential tower blocks owned by Birmingham City Council (BCC).

2. Decision(s) Recommended

That the Cabinet:

2.1 Notes and agrees the detailed action referred to in the report.

2.2 Agrees to the proposed approach for the installation of fire suppressant measures including sprinklers in residential tower blocks owned by Birmingham City Council.

Lead Contact Officer: Rob James, Director of Housing

Telephone Number: 0121 464 7699

E-mail Address: robert.james@birmingham.gov.uk

3. Consultation

3.1 Internal

Briefings have been shared with all elected members and members of the City Council's Leadership Team on the action taken immediately following the news of the fire at Grenfell Tower. Subsequent updates have also been provided.

3.2 External

Briefings have been shared with all Birmingham MPs.

Verbal briefing to the Birmingham Social Housing Partnership on 15th June with follow up written briefings.

Briefing to Housing Birmingham Partnership.

Information from briefings shared with Association of Retained Council Housing (ARCH).

Information requested by the Ministry of Housing Communities and Local Government has been submitted as requested.

Engagement at City Housing Liaison Board.

Engagement at Local Housing Liaison Boards.

Numerous media statements issued.

Visits to tower blocks with fire service to discuss fire safety with tenants and leaseholders.

4. Compliance Issues

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The measures being taken to ensure the safety of tenants in the Council managed high rise accommodation are in line with the Council's vision of "Birmingham – a city of growth where every child, citizen and place matters" and support the key priority of "Housing – a great place to live".

4.2 Financial Implications (Will decisions be carried out within existing finance and Resources?)

4.2.1 The capital funding for the installation of fire suppressant measures including sprinklers is contained within the Housing Public Sector Capital Budget 2018+. The programme will be funded in line with the anticipated resources set out in the Council's Business Plan and Budget 2018+ as approved at the council meeting on 27th February 2018.

The Council Housing Investment Programme includes £19m of planned expenditure relating to the retrofit of fire suppressant systems (sprinklers) as part of an overall three-year programme with an anticipated cost of approximately £31m, in relation to which Central Government has been approached for a contribution of £19.4m towards these costs. In the event that this funding is not forthcoming, the costs will be funded through Prudential Borrowing.

All other measures can be delivered within existing approved HRA revenue budgets.

4.3 Legal Implications

In accordance with the Housing Act 1985, Housing act 2004 and Landlord and Tenant Act 1985 the Council has the statutory obligations to maintain the housing stock. The Council, working in partnership with the Fire and Rescue Authority, are under a duty to ensure fire safety in the housing stock pursuant to the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

4.4 Public Sector Equality Duty

An Equality Assessment Form (Ref: ea002170) was completed for the Cabinet report dated 27 June 2017.

5. Relevant Background/Chronology of Key Events

5.1 The fire at Grenfell Tower in Kensington and Chelsea, in June 2017 resulted in a number of fatalities and has had a significant impact on the industry, but more importantly on how tenants feel about living in high rise accommodation.

5.2 Birmingham has 213 tower blocks and immediately following the tragic event, briefings to all elected members and MPs were produced and a report presented to Cabinet on 27th June 2017, detailing BCC's response. This has been followed up with further briefings.

5.3 Birmingham's Immediate and Ongoing Response to Engage and Ensure Resident Safety

5.3.1 To provide reassurance to our tenants and to comply with requests from the Ministry of Housing, Communities and Local Government (MHCLG), a number of measures have been undertaken since June 2017.

5.3.2 All 213 tower blocks have been inspected: Birmingham City Council Housing has an "in house" team of fire risk assessors, accredited by West Midlands Fire Service through the British Safety Council. As a result of these inspections, repairs are identified and then carried out. In addition, as part of our programme of fire stopping works, we maintain the following:

- Flat/communal doors that resist fire for half an hour
- Fire safety signage
- Self-closing refuse chute hoppers
- Fire retardant decorative coatings to communal areas
- Sprinklers installed to bin rooms
- Wired/battery operated smoke alarms
- Emergency lighting/standby battery systems

5.3.3 Additional detailed fire inspections have been carried out by technical officers and photographs taken of all external elevations of each block. Any repairs identified have been executed.

5.4 Inspection of External Cladding

5.4.1 A number of BCC tower blocks have external cladding systems, but none of these share the same cladding as Grenfell Tower. To identify any improvements and to ensure the continued safety of its residents, we have continued to undertake a review of all cladding systems and specifications for work undertaken over many years to refurbish tower blocks. This has been carried out in conjunction with West Midlands Fire Service.

5.5 Joint Working with West Midlands Fire Service

5.5.1 Business Continuity Plans have been reviewed with the Fire Service and joint visits have enabled the fire fighting teams to carry out regular familiarisation visits to our tower blocks within their catchment areas so that any flood/fire incidents can be tackled effectively. These visits have also enabled us to deliver further fire prevention advice to tenants.

5.5. Installation of Sprinkler Systems

5.5.1 The Cabinet Report in June 2017 confirmed that the Council would be installing sprinkler systems in all of its high rise blocks.

5.5.2 The reports on the budget presented to Cabinet and Full Council in February 2018 have been agreed and the required £31m expenditure is factored into the Capital Programme through a mixture of capital receipts, Housing Revenue Account revenue contribution and additional borrowing. Several approaches have been made to government to make a grant funded contribution of £19.4m for this work to be undertaken. All leaders of the political groups in Birmingham signed a letter to the Prime Minister requesting this funding which was in addition to letters sent to the government from the Cabinet Member, Housing and Homes.

5.5.3 A further report on 27th March 2018 confirmed an amendment to the Capital Investment Programme over three years which would authorise the commencement of this work. The Cabinet report dated 27th March 2018, is the subject of a request for 'call-in' and is being considered at the Cabinet meeting today (24th May 2018)

5.5.4 The current Repairs and Maintenance / Investment contractors were required to provide fire suppression system submissions and an evaluation of these has been carried out by officers within Procurement, Finance and Housing services.

5.5.5 A detailed specification was defined by BCC after site visits, recommendations from sprinkler companies, BAFSA (British automatic fire sprinkler association) and initial submissions from the contractors.

5.5.6 The requirement is to install suppression systems to 213 tower blocks, comprising of 10606 flats in the following areas of the City:

CENTRAL WEST	4221
EAST	1828
NORTH	1070
SOUTH	3487

5.5.7 Prices have been provided from each contractor to install a fire suppression system based on a centralised system and a localised system in blocks located in their

contract area. The most appropriate technical solution for each flat will be decided upon installation.

5.5.8 The proposed installation over a three year period has been based on the following priority criteria:

1. All sheltered high rise blocks (37 blocks - 1700 units)
2. Most flats per floor
3. Tallest residential 14 stories and above (34 blocks, 3049 units)
4. 10 – 14 stories (71 blocks, 3363 units)
5. Under 10 stories (70 blocks, 2355 units)

This will deliver the installation of sprinklers to approximately 2725 flats in 2018/19 and 4408 flats in 2019/20 with the remainder to be completed in 2020/21.

5.5.9 In addition to the above a sub-criteria will be applied to select the blocks to benefit from these works by taking into account of the height of the blocks and whether there is only a single staircase.

5.6. Residents' Assurance

5.6.1 Since June 2017 a programme of visits to all 10,500 flats in the 213 blocks has been undertaken to engage with residents about any concerns they may have. A fire safety reminder leaflet was delivered to every high rise flat in 2017.

5.6.2 We have engaged with tenants through the City Housing Liaison Board, briefing them on the progress made with reassuring tenants of existing and proposed fire safety measures, including automatic fire suppression systems. This was well received.

5.6.3 An online video featuring a Council officer was posted on social media promoting West Midlands Fire Service working in partnership with the Housing Service. This was a joint fire safety campaign, which involved undertaking several safe and well visits. Many tenants participated and felt this was a worthwhile exercise.

5.6.4 Tenants have been encouraged to become involved with the 'Block Champion' initiative. This provides those involved with an added opportunity to input into the work being done to inform tenants about matters of fire safety.

5.6.5 Tenancy conditions are currently being reviewed and these will be strengthened to remind tenants of their responsibility with regards to fire safety. Planned correspondence with tenants will also include fire safety.

5.7 Review of Policies and Procedures

A review of all the current policies and procedures has been undertaken to enhance fire safety in tower blocks, including resilience planning and business continuity plans.

5.8 Partnership Working with Housing Associations

Regular updates and information sharing concerning remedial works to tower blocks has been shared with housing association colleagues through our Housing Birmingham Partnership Board.

Housing Associations (Registered Social Landlords) are required to report on block inspections directly to the MHCLG.

5.9 Information for Ministry of Housing, Communities and Local Government

5.9.1 Information concerning council owned blocks has been input onto the MHCLG Data Collection system (Delta) and indications are that civil servants are satisfied with the information we have provided. No requests have been received to undertake further tests at our tower blocks through the Building Research Establishment (BRE) testing centre.

5.9.2 The focus of attention now is collecting information on privately owned blocks as detailed above. Again, all information we have been able to gather so far has been input onto the Delta system.

5.9.3 Private ACM Clad Buildings

MHCLG has requested Local Authorities to identify privately owned residential blocks that may have ACM cladding similar to that used at Grenfell Tower. Housing staff have so far identified 132 private high rise residential properties in Birmingham. Information on these blocks has been provided on the MHCLG database.

MHCLG and West Midlands Fire Service have been liaising to identify the remedial actions required.

- Advice notes have been issued regarding responsibilities of building owners and how to assess risk. These include a flow chart of the steps to be taken to ensure remediation works are undertaken.
- Over the last few months MHCLG working with local authorities and other social landlords to input data to populate the online system.
- Where necessary building owners have completed remedial works.
- Officers from MHCLG thanked local authorities for their perseverance in gathering this data.

5.10 Hackitt Review of Building Regulations - Progress

A review of the current Building Regulations is being undertaken by Dame Judith Hackitt. The interim report states that the following will be recommended:

- Interim report published – ‘current system not fit for purpose’
- System needs a complete review in terms of roles, guidance notes, competence of those involved, residents voices, quality assurance – the current guidance is too complex and unclear
- Better processes for tenants to complain will be recommended
- Interim recommendations can and will be implemented now as parliament is minded to accept these in advance of the final report
- Noted that the Fire Service do not have powers to enforce on matter relating to the external façade of residential buildings, but do have these powers for commercial buildings

5.11 School and Hospitals

Information regarding cladding systems on School and Hospital Buildings has also been requested. Adult Social Care and Education Services have worked with schools and hospitals and an update on the information provided to Government is provided below:

- 5.11.1 University Hospitals Birmingham NHS Trust and the Queen Elizabeth Hospital are not one of the Category 1 hospitals listed by NHSi. (Category 1 Hospitals are those with cladding which has been identified as a fire risk).
- 5.11.2 The QEHB was built to conform to The Building Regulations 2000, HTM 81 and The Regulatory Reform (Fire Safety) Order 2005, the cladding on the Trust has been confirmed as non-combustible.
- 5.11.3 All staff at QEHB have yearly mandatory fire training. The Trust has regular fire alarm tests and evacuation procedures are in place should this be required. The lifts are being reviewed for their safe use in the event of fire. Automatic fire doors are fitted as standard throughout the hospital. Fire risk assessments are updated regularly and are currently being reviewed. The Trust met with West Midlands Fire Service with other healthcare facilities last week and they offered to help should any support be required but their current focus is on residential blocks as you might expect.
- 5.11.4 Heart of England NHS Trust covers HEFT, Good Hope and Solihull Hospitals and has advised that after the Grenfell Tower Fire incident, a multi-disciplinary team of Estates Officers, Project leads and Fire Safety Advisors surveyed all of the buildings on all three acute hospital sites, to identify the location of any cladding and the design specification of that cladding. The outcome of the surveys was that there are very few buildings, that fall under the responsibility of the Trust, where cladding has been used in the buildings' design, and of those buildings, only two, Ward Block 1 at Good Hope Hospital, which is a medium to high rise building, and the Hybrid Theatre at Heartlands Hospital, where patients may not necessarily be evacuated, would be considered of a slightly higher risk, and further assessments of the cladding on these buildings will be undertaken.
- 5.11.5 The Trust's Head of Estates has met West Midlands Fire Service, along with other regional Estates leaders and remains in regular dialogue with them with regard to this matter to ensure that relevant information is shared appropriately.
- 5.11.6 The Community Health Care Trust has confirmed that it has complied with the requests for information issued by NHS Improvement regarding ensuring that assessments on 'externally clad buildings' have taken place and that current and suitable fire risk assessments are current.
- 5.11.7 The Trust has contacted the Fire Authority and made it aware of the situation and is working with them going forward in assessing its property portfolio.

5.12 Schools

- 5.12.1 Education Services completed an online Department for Education survey indicating how many school buildings are over 18m high (more than 3 storey high) and how many school buildings have residential use and are over 18m high. The response was limited to the maintained estate only:
 - There are no maintained school buildings that are over 18m high
 - There are no maintained school buildings with residential use that are over

18m high

5.12.2 DfE carried out their own survey on the Academies and the Free Schools buildings. We are aware that further testing was carried out at BOA Ormiston Academy as the building is over 18m high and cladded with Aluminium Composite Material (ACM). The investigation concluded that no mitigation was required.

6. Evaluation of Alternative Option(s):

6.1 A review of all current processes and procedures has been undertaken. Additional fire suppressant measures have been considered and recommended as Birmingham’s approach to fire safety in tower blocks. Any additional or alternative options will be considered following any recommendations from the investigation into the fire at Grenfell Tower and from the publication of Dame Judith Hackitt’s full report on the review of Building Regulations.

7. Reasons for Decisions

7.1 The information provided in this report provides Cabinet with an update on the work undertaken to ensure safety in residential tower blocks, hospitals and schools. It provides specific information on the approach being taken to ensure safety of tenants in Birmingham City Council tower blocks.

Signatures

Date

Cabinet Member

.....
Cllr Peter Griffiths, Housing and Homes

.....

Chief Officer

.....
Jacqui Kennedy, Corporate Director - Place

.....

List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):