

NORTH LINCOLNSHIRE COUNCIL

CABINET

GRENFELL TOWER FIRE – UPDATE ON THE LOCAL RESPONSE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To further update Cabinet local action following the Grenfell Tower fire.
- 1.2 Cabinet has previously received update reports setting out the local response following the Grenfell Tower fire that occurred on 14 June 2017. This report provides a further update.

2. BACKGROUND INFORMATION

- 2.1 Cabinet has previously received reports in connection with the local response to the Grenfell Tower fire. These reports provided information available at that time on the contributory causes of the fire, including the presence of Aluminium Composite Material (ACM) cladding, and the casualties involved. Locally, it was highlighted that there were four residential tower blocks in North Lincolnshire. Ongo Homes operated all of the buildings in question and it was confirmed that none were fitted with ACM cladding.
- 2.2 A public inquiry into the fire was ordered by the Prime Minister, with the immediate priority **“to establish the facts of what happened at Grenfell Tower in order to take the necessary action to prevent a similar tragedy from happening again.”** On 15 August 2017, the terms of reference of the Inquiry was announced. Dame Judith Hackitt led the review and an interim report was duly published on 18 December 2017, followed by the publication of the final report on 17 May 2018.
- 2.3 In the immediate aftermath of the Grenfell Tower fire, the Council received requests from Government departments for information on local buildings, with significance placed on the following issues:
 - The presence of ACM cladding panels.
 - The importance of Fire Risk Assessments that specifically take account of a building’s cladding.
 - Elevated risk associated with buildings above 18 metres or four to six storeys in height.

- Elevated risk associated with buildings that have a residential use.

As the Council did not operate any buildings that fall into the high-risk categories highlighted in these requests, nil returns were submitted. Ongo Homes submitted information as required relating to the four residential tower blocks located in North Lincolnshire. Their four tower blocks did not contain ACM cladding material.

- 2.4 However following the Grenfell Tower tragedy, Ongo Homes stated their intention to proactively install sprinkler systems in all of their tower blocks. This work commenced in January 2018 as part of an £800,000 investment, and was completed in June 2018. The project saw sprinklers fitted in each individual flat as well as in all communal areas.
- 2.5 The Governance and Standards Scrutiny Panel continued to review the local situation following the Grenfell Tower fire. Further to inviting representatives of Ongo Homes and the Humberside Fire and Rescue Service to attend their meeting on Thursday 29 June 2017, Council officers attended a further meeting of the panel on 19 October 2017 to update on actions taken in connection with council buildings. The focus was on the various actions highlighted in the previous report received by Cabinet in July 2017 (see below), with the following situation confirmed and updated for this report.

2.5.1 On-site inspections of all buildings with cladding panels to confirm the findings of the desktop review.

Inspections were undertaken of all council buildings including schools where cladding panels were highlighted. This included taking physical samples as required. The inspections confirmed that there were no Aluminium Composite Material (ACM) panels similar to those installed at Grenfell found at any of the Councils buildings.

2.5.2 A review of all Fire Risk Assessments to ensure that one is in place for every council building, that it is current (taking account of the building's cladding) and there are no unresolved fire safety issues.

A working group of officers reviewed the position with regard to Fire Risk Assessments (FRAs). This confirmed that FRAs are in place across all council buildings, and copies of the assessments are now kept centrally and are being carried out and managed using standard corporate templates to ensure consistency.

2.5.3 A reminder to all council staff, in particular service and building managers, about the importance of good fire safety practice including guidance on how to raise any concerns that might arise.

An internal communication to raise awareness on fire safety was issued in August 2017.

- 2.6 The final Hackitt report published in May 2018. It called for a wholesale culture change in the construction industry and a regulatory system that assigned clear responsibilities and held people to account. In all, her report contained 53 separate recommendations that were concentrated across eight key areas for improvement. These are as follows:

1. A New regulatory framework

A new regulatory framework for buildings more than 10 storeys high. This includes the creation of a new Joint Competent Authority (JCA), made up of Local Authority Building Control departments, Fire and Rescue authorities and the Health and Safety Executive. The JCA will hold a database of all high-risk residential buildings (HHRBs), whether in construction or already occupied. It will oversee the sign-off of HHRBs with duty holders having to show that their plans are "detailed and robust".

2. Clear responsibilities

Hackitt warned that a lack of clarity on roles and responsibilities when it comes to building safety was one of the circumstances that led to the Grenfell Tower disaster. She is recommending a clear and identifiable "dutyholder" with responsibility for building safety for the whole building. That dutyholder will have to present a safety case to the JCA at regular intervals. The key roles that are most important initiating, overseeing and influencing activity throughout the procurement, design and construction of a building should also be identified. The key roles for prioritising building safety will be the same as those identified in the Construction Design and Management (CDM) Regulations 2015 to avoid confusion.

3. Three 'gateways'

There should be three "gateway" points where those responsible for a building's safety will have to prove to the new JCA that they are complying with regulations. The first gateway point is to satisfy the JCA that the building is accessible by the fire service, which must be determined before the building secures planning permission. Secondly, the dutyholder must satisfy the JCA that key building safety risks are understood and will be managed and that "robust" processes are in place, before building work can start. Thirdly, the JCA must be satisfied that the signed-off design has been followed before occupation can start.

4. More rigorous enforcement

More rigorous enforcement powers. A wider and more flexible range of powers will be created to focus incentives on the creation of reliably safe buildings from the outset. Stronger enforcement powers should align with the Health and Safety at Work Act. The JCA/Local Authority Building Standards should have additional powers to issue improvement and prohibition notices, as well as clear powers to require changes to work that meet Building Regulations. Time limits for bringing prosecutions should be increased to five or six years for "major deficiencies".

5. Higher competence levels

The construction sector and fire safety sector will have to demonstrate more effective leadership for ensuring building safety among key roles including an overarching body to provide oversight of competence requirements. The aim is to move towards a system where ownership of technical guidance rests with the industry as the intelligent lead in delivering building safety and providing it with the flexibility to ensure that guidance keeps pace with changing practices.

6. More effective product testing

A clearer, more transparent and more effective specification and testing regime of construction products must be developed, including products as they are put together as part of a system. There should be clear statements on what systems products can and cannot be used for, with their use made essential. The scope of testing, the application of products in systems, and the resulting implications must be more clearly communicated in plain, consistent and non-technical information. Additional test houses should be established and certified, while test methods and standards should be maintained under a periodic review process.

7. Better information

The review has identified four "key information products" integral to oversight on building safety. They are: the digital record, the fire and emergency file, full plans, and the construction control plan. Hackitt recommends that the creation, maintenance and handover of relevant information should be an "integral part" of the legal responsibilities of clients, principal designers, and principal contractors undertaking works on HRRBs.

8. Better procurement

Principal contractors and clients for HRRBs should devise contracts that specifically state that safety requirements must not be compromised for cost reduction. Tenders should set out how the proposed solution will produce safe building outcomes. Contracting documentation relating to the safety aspects of the building should be included in the digital record.

- 2.7 Following the publication of the final Hackitt report, the government has recently announced its intention to ban the use of combustible cladding on new buildings in England above 18m (60 ft) in height. The new ban will be implemented through changes to building regulations. The government is also expected to announce a plan to implement the recommendations set out in the Hackitt report, including details of the new JCA arrangements that will oversee the management of safety risks in high-rise residential buildings across their entire lifecycle prior to Christmas.

2.8 The Council will examine, embed, adopt and implement all these recommendations going forward, and amend any existing procedures accordingly. The findings of this report are at this time still recommendations and as such, are not yet transposed into regulations.

3. OPTIONS FOR CONSIDERATION

3.1 Cabinet is asked to note the information set out in this report and support the ongoing positive action taken locally by both the council and Ongo Homes following the Grenfell Tower fire.

4. ANALYSIS OF OPTIONS

4.1 Following the tragic events at the Grenfell Tower on 14 June 2017, both the council and Ongo Homes took positive action to respond to requests for information from Government departments and agencies. Ongo Homes took immediate steps to reassure their tenants and have completed works in their four residential tower blocks to install fire sprinkler systems.

4.2 The action taken by the council will ensure that our approach to managing fire risks in our operational buildings continues to remain robust and relevant in the light of the emerging issues arising from the final Hackitt report and subsequent future regulatory changes. As such, both our customers and employees can be confident that risks continue to be effectively managed and our procedures for responding to a fire incident continue to remain fit for purpose.

4.3 The key recommendations of the Hackitt review noted within item 2.6 of this report will be implemented accordingly as it becomes a regulatory requirement.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Not applicable at this stage.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 Not applicable at this stage.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 Specialist officers from across the council contributed towards developing the council response to the Grenfell Tower fire.

7.2 The Senior Leadership Team of Executive Directors and Directors support the approach adopted by the council.

8. RECOMMENDATIONS

- 8.1 That Cabinet notes the information set out in this report and continues to support the positive action taken locally by both the council and Ongo Homes following the Grenfell Tower fire.

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Background Papers used in the preparation of this report:

- Report to Cabinet of 18 July 2017, titled; “Grenfell Tower Fire – Local Response”
- Report to Cabinet of 30 January 2018, titled “Grenfell Tower Fire – Local Response”