
Fire Safety

Committee considering report:	Overview and Scrutiny Management Commission on 10 April 2018
Portfolio Member:	Councillor Dominic Boeck
Date Portfolio Member agreed report:	15 March 2018
Report Author:	Richard Turner
Forward Plan Ref:	n/a

1. Purpose of the Report

- 1.1 To provide an update on the activities and status regarding fire safety in West Berkshire buildings following the Grenfell Tower fire on 14th June 2017.

2. Recommendation

- 2.1 To note the activities and actions undertaken related to fire safety.

3. Implications

- 3.1 **Financial:** The initial risk of capital expenditure to deal with cladding has now significantly reduced following the outcome of surveys. Some risk remains if change in future legislation increases construction costs for WBC projects or services WBC provides related to fire safety in buildings.
- 3.2 **Policy:** In the long term, subject to the recommendations within the independent review there is the potential for amendment to the existing WBC fire suppression policy.
- 3.3 **Personnel:** No impact identified.
- 3.4 **Legal:** Input of WBC Legal Services team may be required to offer advice and guidance where legislation changes or updated policies are required.
- 3.5 **Risk Management:** Activities both already undertaken and planned are enacted to reduce any identified or potential risks to WBC.
- 3.6 **Property:** The Property Services team will continue to lead on both the immediate activities and long term activities to maintain good practice.
- 3.7 **Other:** None identified.

4. Other options considered

- 4.1 None identified.

Executive Summary

5. Introduction / Background

- 5.1 Following the Grenfell Tower fire on 14th June 2017 and the communication from the Department for Communities and Local Government (DCLG) which followed, West Berkshire Council instigated a series of actions and activities to ensure the fire safety of its buildings is both compliant and well managed.
- 5.2 This report offers an update on tasks undertaken and any further planned actions.

6. Proposal

- 6.1 It was established early in the process, through examining WBC's own estate, that of Sovereign Housing (the largest Housing Association in West Berkshire) and through the Royal Berkshire Fire and Rescue Service (RBFRRS) for private residential blocks, that:
- (1) WBC has no high rise residential blocks;
 - (2) Sovereign has no high rise residential blocks;
 - (3) Eight private high rise blocks exist, located at Park Way and the Racecourse.
- 6.2 Up to the end of September 2017, the following activities had been undertaken:
- (1) A combined Officer and Member group formed to discuss all relevant matters and agree actions;
 - (2) Completed questionnaire submitted by WBC Education Service answering questions posed by the Education and Skills Funding Agency (ESFA). No follow on action required;
 - (3) The Care Quality Commission (CQC) confirmed to WBC they had communicated directly with providers. No action for WBC;
 - (4) For providers of services to WBC falling outside CQC scrutiny, WBC's Commissioning Team has communicated directly with providers;
 - (5) A fire safety questionnaire was issued to all 'Responsible Persons' for individual sites, both WBC schools and non-school sites, to establish the sufficiency of current Fire Risk Assessments (FRAs) and the existence of any Aluminium Composite Material cladding (ACM).
- 6.3 Since that time, the following further activities have been undertaken:
- (1) The information from both schools and non-school building questionnaires has been collated by Property Services;
 - (2) 24 sites (of 109) which expressed potential existence of ACM cladding have been assessed from building data or visited by a WBC Building Surveyor. This confirmed that no ACM cladding is present in WBC buildings;

- (3) 16 sites (of 109) which expressed possible issues with currency of their FRAs have been assessed and where necessary have been brought forward in the rolling programme of FRAs in 17/18;
- (4) WBC Property Services has submitted on the government portal 'Delta' information on private residential properties, specifically related to high rise properties and cladding presence.
- (5) RBFRS has formed a joint working group with the six Berkshire unitary authorities to offer a long term forum to share views. This is attended by representatives from WBC Public Protection team.
- (6) WBC continues to receive updates and communications from DCLG.

6.4 WBC received in December 2017 copy of the interim report of the independent review of building regulations and fire safety.

6.5 The key findings of the interim report were that *'the current regulatory system for ensuring fire safety in high rise and complex buildings is not fit for purpose'*, the key reasons for this being:

- (1) Current regulations and guidance are too complex and unclear;
- (2) Clarity of roles and responsibilities is unclear;
- (3) Means of assessing and ensuring competency of key people is inadequate;
- (4) Compliance, enforcement and sanctions are too weak;
- (5) The route for residents to escalate concerns is unclear and inadequate;
- (6) The system of product testing, marketing and quality assurance is not clear.

6.6 The interim report set the direction for change covering six broad areas:

- (1) Regulation and guidance;
- (2) Roles and responsibilities;
- (3) Competence;
- (4) Process, compliance and enforcement;
- (5) Residents' voice and raising concerns;
- (6) Quality assurance and products.

7. Conclusion

7.1 WBC has reacted promptly to the actions required of it by the DCLG and has acted beyond these requirement to assess all of its buildings in terms of Fire Risk Assessments and any presence of Aluminium Composite Material cladding.

7.2 WBC continues to engage with the DCLG and local fire service for any ongoing aspects of fire safety in its buildings and beyond.

8. Appendices

8.1 Appendix A – Equalities Impact Assessment

8.2 Appendix B – Supporting Information

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:		No decision is requested. The report is for information.	
Summary of relevant legislation:		Fire regulatory reform (Fire Safety) order 2005; Building Regulations 2010.	
Does the proposed decision conflict with any of the Council's key strategy priorities?		No	
Name of assessor:		Richard Turner	
Date of assessment:		21 February 2018	
Is this a:		Is this:	
Policy	Yes/No	New or proposed	Yes/No
Strategy	Yes/No	Already exists and is being reviewed	Yes/No
Function	Yes/No	Is changing	Yes/No
Service	Yes/No		
1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?			
Aims:		To ensure all WBC properties are safe	
Objectives:		To assess buildings and risk assessments	
Outcomes:		Nil ACM cladding systems and up to date FRA's	
Benefits:		Safe buildings for occupants and visitors	
2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.			
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)			

Group Affected	What might be the effect?	Information to support this
Further Comments relating to the item:		
None		
3 Result		
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?		Yes/No
Please provide an explanation for your answer:		
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?		Yes/No
Please provide an explanation for your answer:		

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	n/a
Timescale for Stage Two assessment:	n/a

Name: Richard Turner

Date: 21 February 2018

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.