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**Meeting of the Cabinet - 13<sup>th</sup> September 2017**

**Report of the Strategic Director Place**

**Review of Dudley High Rise Accommodation Post Grenfell Tower**

**Purpose of Report**

1. The purpose of this report is to:
  - a) provide some background into events at Grenfell Tower;
  - b) consider the implications for the Council; and
  - c) outline the response to the events of Grenfell Tower to ensure that Dudley Council's High Rise accommodation is as safe as possible against fire risk.

**Background**

2. Grenfell Tower is a 24 storey high rise block within the Borough of Kensington and Chelsea that tragically caught fire on 14<sup>th</sup> June 2017. Official estimates are that 80 persons are deceased with a further 70 injured. Final figures are believed unlikely to be confirmed for some time given the intensity of the fire and the difficulty in being able to accurately account for precisely how many persons may have been in the block at the time it caught fire.
3. The use of cladding on this and many other high rise properties was, and remains, a key area of focus. Concerns focussed on the Aluminium Composite Material (ACM) system used. Subsequent to the fire, many forms of cladding used on the external facades of high rise buildings have been subject to testing via central Government and the Buildings Research Establishment (BRE) and until recently, all tested to date had failed.
4. Whilst in the main the focus has been on the spread of fire being linked to the ACM cladding, it is far from the only influencing matter. Fire breaks, designed to prevent the spread of fire horizontally and vertically, are the subject of speculation both in terms of their presence and/or absence. Fire stops, designed to seal the building where services are inserted through walls (for example, electrical or satellite TV) are the subject of similar speculation as to being present/not present and/or their adequacy.

5. Design matters are also an influence. The block itself, common to many of that era (late 1960's/early 1970's) had only one staircase. Sprinkler systems were not in place. When the block was refurbished, windows appear to have been placed in the cladding as opposed to the main structure of the building, and there is speculation that this may have caused an air gap that promoted the spread of fire and smoke.
6. Whilst initially the focus was on this being a social housing issue the facts are that external cladding is widely used across a range of commercial and non commercial residential buildings across the public and private sector. Social Housing is therefore not the only area of risk as a significant number of modern buildings in the private sector use external cladding, principally to improve building performance and in particular, thermal efficiency.
7. Many forms of conversion from office to residential are 'permitted development' and therefore do not require planning consent. The Council are ensuring that private developers are aware of the concerns relating to external cladding in cases where there is little regulatory control over such development

### **The Dudley Council Context**

8. Dudley has 25 high rise blocks, with 1479 flats within, mostly one and two bedroomed units. Four blocks (Arley, Compton, Wells and Manor Courts) are listed for demolition with only approximately 30 families remaining therein, but once these blocks are demolished that will leave around 1200 flats across 21 blocks. The average age of a high rise block in Dudley is 51 years, with the earliest dating from 1962 (Halesowen) to the last (Chaucer House) being built in 1969, with nearly 50% being built in 1965/66. None of Dudley Councils high rise blocks has any ACM style cladding nor any other form of external insulation.
9. For completeness, the Council does have low rise stock that has cladding, principally external wall insulation. Records and investigations show that the majority of our low rise are clad with external Phenolic Insulation, finished with render, which is a non combustible, fire resistant surface. None are clad with the form of material potentially implicated in the Grenfell Tower incident. We have used a polystyrene type insulation in relation to 25 'non traditional construction' type houses around the Lister Road area. However, it was treated with a fire rated surface treatment (render), and we have confirmation that this is a legislation compliant specification from the system manufacturer.
10. All of our properties were of course built to the then required standards. Building Regulations are not retrospectively applicable, and therefore it has only been since 2005 that properties over 18m (approx 60ft) have required to be fitted with fire alarms and sprinkler systems. There has however been much debate on the merits/demerits of doing so and the costs and how those costs are to be covered, both of which are covered later in this report.

## **Risk Mitigation measures**

11. It is clearly not possible to mitigate all risk to zero. However, Dudley Council has a robust approach to the management of fire safety within its high rise stock.
12. Our Fire Risk Assessments are compliant with relevant statutory requirements. Corporate policy requires these to be reviewed four yearly and we are considering whether a more frequent review period would be more appropriate. Our last formal review was in 2015. However, since Grenfell we have carried out a desk-top review of all documentation, adding a review sheet, so that any changes / works required are recorded in the Fire Risk Assessment –as a live document – and these are maintained on site.
13. Our blocks are visually checked every day, with joint visits three monthly with repairs and asset management staff, to check for any visual issues in the common areas and repairs are raised and checked for completion accordingly.
14. Joint visits are being carried out with the West Midlands Fire Service (WMFS) to all of our blocks and the feedback to date has been positive.
15. All works carried out to our buildings have “before and after” pictures taken and, as appropriate, materials data sheets showing manufacturer of the material in question, standards tested to (eg BS EN and so on) plus, as appropriate, fire testing data.
16. We have discussed this matter with Dudley Federation of Tenants and Residents Associations (DFTRA) and the High Rise Living Forum (HRLF). The Chief Officer Housing and Head of Housing Assets and Development, together with a colleague from West Midlands Fire Service spoke on the matter of Grenfell and emerging lessons with members of the HRLF Forum recently and will be attending future meetings in order to keep residents fully informed on developments.
17. All residents have been provided, via hand delivered letters and through the Council’s website, with up to date messages in respect of fire safety.
18. We have confirmed that the joint advice given by WMFS and the Council is that “if there is a fire, stay put unless you do not feel that it is safe to do so.” This is based around the principle of “containerisation.” In short, a high rise flat is essentially a steel framed concrete box which should withstand a fire for at least 60 minutes. WMFS aim to attend within 5 minutes of notification of a fire.

## **Challenges**

19. Contrary to much press speculation, the Grenfell cladding is likely to be one of several contributory factors in the severity of the fire and the speed at which it spread. For example, the way in which windows were installed and the fact that some were open on the night of the fire may also be contributory factors.
20. There is no agreement that sprinklers and/or fire alarm systems would necessarily have prevented the Grenfell fire in the first place and/or significantly mitigated the severity of the incident. Nonetheless, there is significant pressure on landlords to consider their installation, though at the current time these are not mandatory requirements.
21. Estimates of the cost implications for installing fire alarms and sprinklers vary considerably, dependent on our best guess about what may or may not be required, in the absence thus far of a clear directive from central Government. We have estimated the costs of retro-fitting alarms and sprinklers in all high rise to be between £4-£8million.
22. Central Government thus far have advised that the liability for ensuring buildings are kept to the required standards, both now and in the future, lies with the owner. Therefore, if Government imposes further requirements for high rise accommodation following the investigation into Grenfell Tower, such as sprinklers and fire alarms, a significant additional cost would be incurred by the Council. To date, no further grant aid has been suggested although it is understood that Government is considering extending the ability of Councils at their Housing Revenue Account (HRA) cap limit (as is the case with Dudley) to borrow further to fund such works. This is unconfirmed at the point of writing.
23. Clearly, the safety of our tenants and leaseholders is paramount and while there is no suggestion that the factors present at Grenfell Tower exist in Dudley Council's high rise stock, we are already preparing strategies for the future management of our blocks. This may include significant future refurbishment works or indeed, recommendations to reduce our stock of high rise accommodation.

## **Conclusions**

24. Understandably, there is serious concern amongst the public and high rise tenants nationwide, following the events at Grenfell Tower. For instance, Camden Council took the unprecedented step of urgently decanting high rise accommodation due to serious concerns regarding their safety.

25. Fires in high rise accommodation are not uncommon. In Dudley, there have been a number of flat fires which have led thus far, to no serious injury and containment measures in the blocks have prevented the spread of fire. Dudley does not have the issue of dealing with the forms of cladding now deemed unsafe by BRE and a full review of fire safety measures as outlined in the report has taken place.
26. The investigation into Grenfell Tower will be lengthy given the extent of damage caused to the block and it is possible that there will be a multiplicity of issues which created such a devastating fire. It is a risk therefore, to undertake any major investment or full review of fire safety of our high rise blocks until the full facts are known and investment decisions can then be made in full knowledge of those facts. The Council will however, continue to ensure that fire prevention / safety measures are fully in place, that fire risk assessments are carried out and that blocks are inspected on a regular basis, until such a time as strategic long term decisions on investment can be made. Throughout the process, the Council will maintain good communications with both DFTRA and the HRLF Forum in order to reassure residents and provide a 'sounding board' for any concerns that may arise in future.

### **Recommendations**

27. It is recommended that Cabinet;
  - a) Note the impact and implications for Dudley Council relating to the Grenfell Tower incident.
  - b) Note the Council's response to the incident has been to review fire risk in all high rise blocks, as well as to review fire risk assessment policies and procedures in order to ensure that they are comprehensive.
  - c) Request that Officers present further reports in future as to the causes of the Grenfell Tower fire and the implications for Dudley Council become clear.



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