

ABERDEEN CITY COUNCIL

COMMITTEE	Audit, Risk and Scrutiny
DATE	22 February 2018
REPORT TITLE	Response to Grenfell Tower fire – building safety
REPORT NUMBER	CHI/18/007
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1. PURPOSE OF REPORT:-

The purpose of this report is to provide assurance on the Council's response to the Grenfell Tower fire and the approach being taken to maintain fire safety in high rise domestic buildings.

2. RECOMMENDATIONS

That the Committee notes:

- 2.1 The report and the actions taken by Aberdeen City Council and its partners to review fire safety in high rise domestic buildings;
- 2.2 The Council's work programme, which is aligned with the Scottish Government Programme, provided at appendix 6 of this report.

3. MAIN ISSUES

Grenfell Tower fire

- 3.1 The Grenfell Tower fire started on 14 June 2017. Grenfell Tower is a 24 storey building comprising social housing situated in the Kensington and Chelsea Council area of West London. The fire resulted in 71 named deaths and numerous injuries. 223 people escaped the fire. Police and fire services believe that the fire started accidentally in a fridge freezer on the fourth floor. The rapid growth of the fire is thought to have been accelerated by the building's exterior cladding, known as Aluminium Composite Material (ACM). The tragedy is subject to a Public Inquiry and Inquests will be held for all the victims.

High rise domestic buildings in Aberdeen

- 3.2 The Council owns or part owns 59 residential high rise domestic buildings in the City comprising 4425 individual flats (3853 flats remain in Housing Revenue Account (HRA) ownership). 22 buildings are fully owned by the Council and 37 buildings have properties sold under 'right to buy' legislation and therefore ownership of these buildings are shared between the Council and private owners.
- 3.3 Aberdeen City Council acts as Property Factor, under the Property Factoring (Scotland) Act 2011, to manage the 37 buildings with shared ownership. The Head of Communities and Housing is currently the named factor with the Registers of Scotland. Appendix 1 provides a listing of high rise domestic buildings in Aberdeen, which the Council owns or part owns and whether they have been fitted with over-cladding.

Over-cladding of high rise domestic buildings in Aberdeen

- 3.4 High rise domestic buildings are those classed as being over 18 metres tall (Scottish Building Standards Technical Handbook). Eighteen of Aberdeen's high rise domestic buildings have over-cladding and there are a further seven where over-cladding work is on-going. The over-cladding work on these buildings has been carried out by contractors commissioned by the Council – Lovell, Graham Construction, and Keepmoat. All over-cladding work has been commissioned to protect the buildings from the environment, and provide improved energy performance and increase the lifespans of the buildings.
- 3.5 All cladding work has been undertaken in compliance with the Building (Scotland) Act 2005 and associated regulations. It is important to note that this legislation demands a greater level of assurance on fire safety issues than similar English legislation. This means that the materials used in the over-cladding of ACC high rise domestic buildings are not the same as that reported to have been used at Grenfell Tower. Appendix 2 sets out detailed information on the cladding used on high rise domestic buildings in Aberdeen.

Aberdeen's response to the Grenfell Tower fire

- 3.6 From the day following the Grenfell Tower fire, ACC staff from Communities, Housing and Infrastructure, Education and Childrens Services, and Communications have worked alongside Scottish Fire and Rescue Services (SFRS) and Police Scotland to ensure resident safety, to communicate with all residents and to provide the Scottish Government with information required through the Ministerial Working Group.

This co-ordinated response included:

- 4425 letters being delivered to all residents in high rise domestic buildings
- 16 drop in sessions with SFRS, for residents in high rise domestic buildings to attend
- 29 Freedom of Information requests responded to
- In excess of 25 media enquiries responded to
- 6 MP / MSP letters responded to

- 59 high rise domestic building inspections
- Over 650 works orders raised to improve the condition of, and fire safety in, Aberdeen's high rise domestic buildings
- Reassurance and fire safety messages available on ACC website
- FAQ list were created and published on website until Autumn 2017
- Updates provided to COSLA and Scottish Government Civil Contingencies Directorate
- Meetings with Scottish Government Building Standards Division
- Fire safety advice and posters available on Aberdeen City Council's website: <https://www.aberdeencity.gov.uk/services/housing/multi-storey-fire-safety>

A review programme was established to provide assurance for residents in Aberdeen. Immediate steps included assurance work in the following areas:

3.7 Review of fire safety advice

Residents living in high rise domestic buildings routinely receive fire safety advice provided through the tenants' handbook, which is given to all Council tenants and from posters displayed on each floor of every building. The advice is that residents should only vacate their home in the event of a fire if the fire is within their home or on the instruction of the Fire Service. This advice was reviewed with the SFRS and confirmed that this remained the proper and appropriate approach and advice. This remains the case today, and has recently been reemphasised to all residents through a Scottish Government and SFRS campaign.

3.8 Following the Grenfell fire a full review and inspection of all high rise domestic buildings was undertaken to review fire testing regimes by ACC and the SFRS. A detailed list of all properties, inspection dates, whether any over-cladding was in place, confirmation of compliance with Building Regulations at the time of their construction and evacuation procedures was undertaken, with satisfactory results.

3.9 Communication and engagement

As shown above, communication and engagement activity was significant. By 25 June 2017, a letter had been delivered to each individual flat regarding cladding and fire safety, along with a SFRS leaflet providing guidance on how to respond to a fire. In total, 4425 letters were delivered by Council and SFRS colleagues. Copies of these letters are provided at Appendix 3. There were two letters produced: one version for residents living in high rise domestic buildings which had been over-clad and another version for non-clad high rise domestic buildings.

3.10 Council officers, supported by SFRS colleagues held drop in sessions for all high rise domestic buildings, in late June to July 2017, to provide further reassurance and advice to residents. These were publicised in advance through media release, ACC website and posters being displayed within the buildings. Council officers and SFRS also attended the scheduled City-wide Tenant and Resident Group meeting in late June, with a cladding panel

brought to the meeting to talk through how it was assembled and fitted to the building.

3.11 Scottish Government engagement

Council staff were in immediate contact with the Scottish Government's (SG) Building Standards Division, from the day following the Grenfell Tower fire. Staff were involved in a number of meetings, discussions and teleconferences with SG colleagues to ensure an understanding of their response to the Grenfell Tower fire and to achieve a complementary approach. The SG response has included the establishment of a Ministerial Working Group on Building Safety. The SG programme is at appendix 4. Officers remain in contact with SG officials to ensure we are aware of any developments in this area.

3.12 Aberdeen Governance Board

A Citywide Board was established to oversee the Council and its partners' response to the Grenfell Tower fire. The Board is chaired by the Interim Director for Communities, Housing and Infrastructure. The SFRS and Rescue Service and Police Scotland are Board members. Terms of reference for this Board are included at Appendix 5.

3.13 The Board has developed a work programme to complement the Scottish Government's Ministerial Working Group on Building Safety. The Board continues to ensure co-ordination internally and with partners. The work programme is attached at Appendix 6.

4 HIGH RISE DOMESTIC BUILDING FIRE SAFETY IN ABERDEEN

4.1 ACC owns a total of 3853 flats within high rise domestic buildings and all, apart from 47, have been fitted with mains powered smoke detectors. These 47 have previously been offered mains powered smoke detectors but the residents have refused the works to date. Officers will continue to re-visit these addresses every three years to try to complete upgrades, and are investigating whether we have the right to gain entry within the lease agreements. Upgrades are also done when properties are void. These mains powered smoke detectors have a life of 10 years and, at the time of installation, residents are given a leaflet stipulating the maintenance regime, i.e. regularly check that the green mains light is lit and to test the alarm weekly, by depressing the test button. ACC carries out checks on the smoke detectors when a property becomes void. The smoke detectors are replaced as part of a rolling maintenance programme.

4.2 When Aberdeen's high rise domestic buildings were constructed, there was no requirement to have fire suppression systems, meaning that the 59 high rise domestic buildings do not have such systems. The Scottish Government Working Group is currently considering the installation of such systems and a

consultation on a Private Member's Bill on sprinkler systems in new build social housing, has recently been launched.

- 4.3 Immediately following the Grenfell Tower fire, technical officers in partnership with the SFRS and Scottish Government, undertook a comprehensive review of the specification of materials used in all the multi-storey buildings and can confirm that the over cladding has been subject to building warrant approval.
- 4.4 All high rise domestic buildings in Aberdeen benefit from emergency lighting in all communal landings and exit staircases. The fire safety regime for high rise domestic buildings in Aberdeen includes:
 - annual testing of the dry riser outlet on each floor
 - regular testing of fire alarm panels and smoke detection systems within high rise domestic buildings
 - SFRS will undertake a fire safety inspection of each high rise domestic building every three months, with a report submitted to the Council setting out findings including any remedial actions required
 - the Property Factor completes a visual inspection of all mainstream high rise domestic building every 6 months.
- 4.5 In addition to these cyclic inspections, officers from a range of Council services, including Housing Officers, City Wardens, Cleaning staff and Building Services are in these buildings frequently and are observant for any fire risks. Residents are also asked to take steps to maintain safety and report any issues requiring attention. Certain conditions of tenancy for Council residents prohibit the use of communal areas in high rise domestic buildings or storage of goods. This can present a risk of fire and also a potential blockage in the event of a fire.
- 4.6 ACC's proposed capital programme for 2018/19 commits funding for upgrading mains powered smoke detectors in 19 high rise domestic buildings, with 515 units having been completed since the Grenfell Tower fire at a cost of around £219,000. It is important to note that this work was planned cyclical maintenance and is not reactive to the Grenfell Tower fire. The 'failure' rate in relation to tenants providing access is around 20% which is much lower than experience of other cyclical works.
- 4.7 Following the Grenfell Tower fire, ACC's Health and Safety team undertook a Fire Risk Assessment (FRA) of each high rise domestic building. The actions arising from the FRAs are incorporated into the work programme.
- 4.8 On 17 August 2017, a defective cavity barrier was identified at a kitchen ventilation duct in Morven Court. This would have potentially allowed fire to spread through to the next cavity, 1 storey above, in the event of a fire. A meeting was convened with all relevant stakeholders, however the risk was assessed as being low. Staff worked with the contractor and an action plan to install cavity barriers was developed. Residents in Morven, Brimmond and Grampian Courts were contacted by letter to advise of this issue, due to the similarity in construction design at all 3 buildings, advising of the defective cavity barriers and requesting access to improve the installation. Local

Councillors, Co-Leaders and Conveners of Communities, Housing and Infrastructure Committee were made aware of this issue at the time.

- 4.9 Additional cavity barriers have been installed to all flats that access was permitted to. 60% access and works was achieved prior to Christmas 2017. Since then access and works has been achieved to a further 30% of flats. No further defective cavity barrier has been found. A further round of targeted visits is planned prior to 22nd February. Following this, enforcement action could be taken, where access continues to be refused, so as to provide certainty that this potential risk has been eliminated.

5 OTHER CATEGORIES OF BUILDING

- 5.1 In August 2017 all Local Authorities were contacted by the SG regarding the possible presence of ACM in school buildings. Following this request, all schools within the Council's portfolio were inspected as a precaution. ACM panels were known to have been used in 2 educational buildings, Woodlands School (which was being re-located to Orchard Brae) and within Aberdeen Grammar Schools games hall extension, completed around 2006. Due to the low level of the ACM (below 10 metres; the existing school evacuation plans, and the distance from any ignitable source) this presented a low risk. This position was agreed with local SFRS colleagues. This information was provided to the SG.
- 5.2 The Scottish Government is currently consulting on new and revised Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation. The consultation will run until 5 February 2018 and is applicable to fire safety in existing residential premises in which there is sleeping accommodation including:
- hotels, tourism hostels, refuges
 - holiday lets and holiday complexes, camping and caravan sites (other than privately used individual units)
 - bunkhouses, bunk barns
 - sleeping accommodation for pupils, students or employees
 - all types of houses in multiple occupation (HMO)
 - boarding houses, guest houses, bed and breakfast accommodation

6 CIVIL CONTINGENCIES

- 6.1 Members will be aware that the Council operates a Duty Emergency Response Coordinator (DERC) rota for senior managers, to ensure Category 1 responder duties under the Civil Contingencies Act 2011 are discharged. The Council is also a key partner in the North, Regional and Local Resilience Partnerships. Subgroups of these partnerships include the Rescue subgroup, which brings Category 1 responders together to review and assure plans for responding to major events with large numbers of people potentially affected.
- 6.2 On 17 January 2018, a resilience exercise was held at the Beach Ballroom, involving SFRS, Police Scotland and Scottish Ambulance Service colleagues. This exercise proposed the evacuation of a high rise building in the event of an emergency incident and allowed Duty Emergency Response Co-ordinators

to role play the management of such an incident. While SFRS fire safety advice remains that residents should remain in their property in the event of a fire, this exercise provides further assurance to ACC and community planning partners about assurance and continuity in the event of a major civil contingencies event.

7 FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications arising from the recommendations of this report. Current activities are contained within existing Council budgets. In the event that the Scottish Government propose that all high rise domestic buildings be fitted with fire suppression systems, a report would be brought to the appropriate Committee with options on how this would be funded. An estimated cost to fit such systems is £5,000 per property, which would translate as potential cost of around £20 million across the Housing Account. This is an estimate only and in the event that such work was required a more detailed cost analysis would be undertaken.

8 LEGAL IMPLICATIONS

- 8.1 There are no direct legal implications arising from the recommendations of this report. Work undertaken by officers since June 2017 has established that no ACM cladding is present on any Council operated or owned buildings in the City, excepting Woodlands and Grammar which have been risk assessed as satisfactory. It has also been established that the current regime of fire safety assessment and checks in both high rise domestic buildings and schools has identified no major fire safety risks.
- 8.2 In the event that fire suppression systems require to be fitted, there is a potential for powers to be required to ensure such systems can also be fitted to private owners of properties in high rise residential accommodation.

9 MANAGEMENT OF RISK

9.1 Financial

Financial risk relates to the possibility of legislation being introduced requiring the fitting of fire suppression systems in ACC owned and operated buildings. As stated above, this could potentially be in the region of £20m. There may also be a cost associated with fitting such systems to private residences, as mentioned in Section 8.2 above.

Likelihood – low. There is no information to suggest that this is currently likely to be proposed.

10 Employee

It is not considered that there is currently any employee risk.

11 Customer / citizen

Risk to customers and citizens is currently considered low due to the design and build of high rise domestic buildings; the fire risk assessment regime; the scrutiny of officers since June 2017, and the focus on response to fires in high rise domestic buildings by the SFRS.

12 Environmental

It is not considered that there is any environmental risk.

13 Technological

Technological risk would relate to the potential for installation of fire suppression systems in ACC owned and operated high rise domestic buildings. As stated above, it is believed there is a low likelihood of this being required.

Likelihood – low.

14 Legal

If there is a future requirement to install fire suppression systems, or otherwise alter the communal fabric, gaining owner consent may prove challenging under current legislation, in relation to those buildings that have properties privately owned. Experience has shown that gaining access to privately owned or tenanted properties is also a significant challenge.

15 Reputational

It is believed that the reputational risk is low, due to the efforts of ACC and partners to scrutinise legal compliance; work with SG, and communicate with residents.

16 IMPACT SECTION

This section demonstrates how the proposals within this report impact on the strategic themes of Aberdeen City Council and Community Planning Aberdeen, as set out in the [Aberdeen City Local Outcome Improvement Plan 2016-26](#) and the [Aberdeen City Council Strategic Business Plan](#).

Economy

High rise domestic buildings make a significant contribution to housing supply within the city.

People

Maintaining safety in high rise domestic buildings supports our objective within the Local Outcome Improvement Plan that all people in Aberdeen are entitled to live within our community in a manner in which they feel safe and protected from harm.

Place

The continuing improvements to high rise domestic building fire safety supports our aspirations that Aberdeen is a place where people are safe from harm.

If fire suppression systems were to be required in high rise residential domestic accommodation, an appraisal would be undertaken to more fully understand the impact on Place.

Technology

High rise domestic buildings use modern and efficient systems to support fire safety. We will assess the use of new technological innovations as appropriate to further enhance fire safety.

17 BACKGROUND PAPERS

None.

18 APPENDICES

Appendix 1 – High rise domestic buildings in Aberdeen

Appendix 2 – Cladding design and specification

Appendix 3 – Letters sent to all high rise domestic building residents, June 2017

Appendix 4 – Ministerial Working Group work programme

Appendix 5 – Terms of reference for Review Board in response to the Grenfell Tower Fire

Appendix 6 – Work programme for Review Board in response to the Grenfell Tower Fire

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