

Fire Safety Update 30 June 2017

Dear Councillors

This is our third update of the briefing note provided to you on 16 June. This contains additional information about CYC's fire safety approach, and where possible response to questions raised by members. We hope this provides assurance about fire safety and helps you to answer any questions you get from residents;

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Summary

- CYC operate a fire safety management regime in line with the Regulatory Reform Order - Fire safety 2005 - (RRO) and Housing Act (2004).
- We have no 'high rise' blocks of more than 6 storeys. Our highest is 5 storeys.
- None of our social housing has Aluminium Composite Material or (ACM) cladding panels as used at Grenfell Towers.

- All blocks with communal areas are required to have a fire safety risk assessment (FRA), however there is no fixed period for reviewing that assessment. CYC aim to carry out FRA reviews annually for sheltered, hostels, OPHs, and schools – and every 3 years for general needs stock.
- Reviews are carried out by qualified assessors as part of a rolling programme.
- The programme is designed to bring all social housing blocks with communal areas within the review cycles referred to above by the end of 2017/18.
- We have a corporate fire policy (compliance note CN14) and, in association with Health and Safety colleagues, are currently developing a fire safety policy for our social housing. Together, these policies will cover all council-owned buildings covered under the RRO.
- Older Persons Housing (OPHs) have a phased evacuation policy – unless ‘stay put’ is specified in a resident’s Personal Emergency Evacuation Plan (PEEP).
- All sheltered housing and hostels have communal fire alarms, regular drills, and alarm testing, plus PEEPS.
- In-line with current legislation, none of our social housing or OPHs currently have sprinkler systems installed
- While legislation does not require it, we have hard-wired smoke detectors in two thirds of our general needs housing and tenants are able to fit their own.
- We currently have a ‘stay put’ policy in our general needs blocks in case of fire, as all are fitted with fire doors

In our sheltered, hostels, OPHs schemes we either operate a delayed evacuation, or are moving towards operating a delayed evacuation approach.

Fire Assessment Regime

- All buildings with communal areas are required to have a fire safety risk assessment. However there is no fixed period for

reviewing that assessment. Guidance suggests that reviews should be undertaken following any *significant* changes which could affect the fire risk, including changes to the building, staff, occupancy, activities, legislation etc.

- CYC have adopted best practice with regard to review cycles and aim to carry out fire safety risk assessment reviews every year on schemes where the most vulnerable tenants & residents live such as sheltered housing schemes and hostels; and every 3 years on our general needs blocks.
- Reviews are carried out by qualified assessors as part of a rolling programme.
- **New** - Currently 307 reviews are outside of the 3 year cycle, however this year's programme is designed to bring all blocks within the CYC adopted review cycles referred to above by the end of 2017/18, and will involve undertaking reviews for approximately 350 blocks during the year.
- **New** - Building Services and Health and Safety have been working together closely on our existing programme of FRA reviews, and were in the process of introducing an additional shared resource to undertake FRA reviews and supervision of remedial works programmes, via a service level agreement prior to the Grenfell Tower fire. This will make the most of our in-house resources across CYC and NYCC, and will enable us to accelerate the FRA review programme.
- **New**- The in-house team will also be supplemented by consultancy. To this end, we have commissioned Macdonald Martin to carry out a programme of 70 priority FRAs. This work is due to commence on 10 July.
- **New** - We have brought forward the regular programme of scheme/block inspections carried out by Estate Managers, which whilst aimed at reviewing all aspects of the physical environment around blocks, also looks to identify any problems with obstacles or stored belongings hallways/entrances/stairwells and other communal areas. Building Services, Health & Safety and Housing teams, will be coordinating this work alongside the FRA

programme; and it will provide an important 'heads-up' function to identify any major issues that could impact on residents ability to exit blocks in the event of a fire, or on the overall fire integrity of the block.

High Rise Blocks

- CYC has no housing buildings above 6 or more storeys – the height where building are considered as 'high rise 'for the purposes of fire regulations.

Cladding

- None of CYC's housing stock has the 'Rain Screen', curtain wall facade cladding used at Grenfell Tower. This cladding is sometimes referred to as Aluminium Composite Material or (ACM).
- We are currently checking with the Education & Skills Funding Agency who led on the building of 4 schools in York (as part of the Priority School Building Programme), to confirm no Aluminium Composite Material (ACM) cladding was used.
- **New** - All of the above schools have now confirmed that where cladding has been used none of it is of the ACM type. We are however seeking final confirmation from two developers involved in the development of two further schools built as part of the Priority School Building Programme."
- **New** - The Government testing programme requires LAs to inspect buildings over 18m high where cladding has been used. 18m is the height at which regulations change with respect to the required fire resistance of cladding materials used. Where it is suspected that the cladding is ACM type, LAs are required to submit samples for testing to the British Research Establishment (BRE). As CYC have no buildings over 18m, nor any with ACM type cladding, we have not been required to send any cladding materials for testing. 23 of our 4 storey blocks had external insulation, and render systems applied in 2009, and we have spoken to the suppliers, who provided written assurance relating to fire safety compliance of their product. We also have appropriate certification verifying

compliance, which was issued at the time the work was carried out.

- **Fire safety policy**
- We are shortly to launch a new fire safety management policy for our social housing stock. This will reflect the latest guidance and best practice, and will pick up any key learning points arising from the current review of our fire safety approach.
- There is also a corporate fire policy (compliance note CN14), and between the corporate and housing fire policies, all CYC owned properties are covered, and premises managers and landlords are expected to adhere to them.
- **New** - The Head of Health & Safety is liaising with the North Yorkshire Fire & Rescue Service (NYFRS) on behalf of the North Yorkshire and York Councils including district councils. NYFRS are going to respond in the early part of next week as to how they will support the councils going forward.

Supported Living

- All CYC's supported living residential care accommodation within York is less than six storeys in height. The majority are two storeys, with a small number of three storey buildings such as the Arc Light hostel, one supported living service and larger residential and nursing schemes. None of these building have ACM type cladding.
- All residents are required to have a 'Personal emergency evacuation plan' (PEEP) and all schemes have annual fire risk assessments undertaken. OPHs have a phased evacuation approach unless otherwise specified in a resident's PEEP. This is because there could be scenarios where residents who require hoisting, are likely to be recommended to be stay put, protected by building compartmentalisation and fire doors.
- Please note most of this type of accommodation is managed by third party housing providers. They have responsibility for fire safety, including carrying out fire safety assessments and any

associated remedial works. Schemes range in size from large 100 person extra care schemes to small two bed accommodation, with differing provision of fire safety equipment dependent on assessed risk and appropriate legislation.

Sheltered Schemes & Hostels/Temporary Accommodation

- All CYC sheltered housing schemes and hostels have communal fire alarm systems. These schemes have been assessed as having the highest risk given their multiple occupation, and the vulnerability of their tenants and residents. These fire alarm systems are regularly tested, and there are regular fire drills where staff are based permanently on site to lead the drills. Fire extinguishers are only provided at sheltered schemes and hostels where we have staff based there permanently, as users of this equipment need to be appropriately trained. The extinguishers and any other fire fighting equipment is regularly serviced, and records of this are kept in on-site fire log books.

General Needs blocks

- Most general needs blocks do not have communal fire alarms. Government guidance suggests '*Communal fire alarm systems should not be installed unless it can be demonstrated that there is no other practicable way of ensuring an adequate level of safety. If such a system is provided, it must be possible to manage it*' <https://www.local.gov.uk/fire-safety-purpose-built-flats> .
- These blocks are not provided with fire extinguishers, as this equipment should only be used by trained operators. Fire drills are not currently carried out at general needs blocks. This is largely because they require on-site staff to lead them who know which tenants and leaseholders are in the building at that particular time which is not available for these type of schemes. However, as mentioned earlier we will be undertaking further work to improve the quality and frequency of information provided to tenants and residents about what to do in the event of a fire.

Schools

- There are no schools of 6 storeys or above.
- We are not aware of any schools with ACM cladding panels where CYC's Property Services have been involved, but we are seeking confirmation from external suppliers on other schools (such as PFI, modular etc). The council's Health and Safety team carries out and annually reviews fire risk assessments for LA schools that buy our core H&S service level agreement (SLA). Currently only one LA School doesn't buy this service. All schools signed up to the SLA have an up to date FRA.
- CYC is not responsible for the fire safety requirements in Academies and independent schools/colleges. However, we do carry out a fire risk assessment/review where they procure our H&S service.
- **New** - All schools'* and council offices' fire alarms are regularly maintained. The majority of these buildings are specified to 'L2'. L2 is a classification of a fire alarm system that is defined in BS5839. The prefix 'L' standards for life protection. This means the primary purpose of L2 fire alarms is to protect life. Whereas 'P' prefix are primarily designed to protect damage to buildings. L2 fire alarm systems are designed to offer automatic detection on all escape routes within a building, with the addition of all rooms adjoining to the escape route. An L2 fire alarm system should also take in to account any further areas of high risk which may not necessarily be covered with detection on the escape routes and adjoining rooms. The system should also incorporate audible sounders and manual call points.
- ***Note:** *The Facilities Management Team does not have any current information on 15 York Schools as they have decided to maintain their buildings independently of the council.*

Domestic smoke alarms/Fire Alarms

- Where we rewire social housing (typically as part of Tenants' Choice works) we install hard-wired smoke detectors.

- Our records show that approximately two thirds of CYC homes have a smoke detector that we fitted. Of course many tenants and residents may have installed their own, but we will not have a record of this on our stock condition data system.
- Our gas engineers test smoke alarms when they attend to carry out gas services – any that are found to be faulty are reported and then replaced by our electricians. We also test hard-wired smoke alarms when properties are empty and being re-let.
- The Smoke and Carbon Monoxide (CO) Alarm (England) Regulations 2015 set out the requirements around smoke detectors and carbon monoxide detectors. This requires private landlords to install smoke detectors and CO alarms in their properties. The Act gives local authorities the power to police compliance with these requirements. However the act also explicitly excludes local authorities and registered social housing providers from these requirements. Please see excerpt from the act below.
- *'The regulations do not apply to Social Housing landlords. At present, private rented sector properties have fewer working alarms installed than other types of housing tenures. These regulations are designed to ensure all privately rented homes are equipped with working smoke alarms at the start of each new tenancy, and where necessary, working carbon monoxide alarms'.*
<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords/the-smoke-and-carbon-monoxide-alarm-england-regulations-2015-qa-booklet-for-the-private-rented-sector-landlords-and-tenants#tenancies-and-exemptions>

New - West Offices' fire alarm system is designed to L2P2 – protects both life and the building, chosen due to the strategic importance of the building to the council.

Sprinklers (water suppression)

- Under current regulations sprinkler systems must be installed in all new buildings in England that are higher than 30 metres. There is tighter regulation in Scotland and Wales.
- CYC has no buildings over 30 metres. Therefore none of our general needs blocks, hostels or sheltered accommodation have sprinkler systems.
- Retrospective fitting of such systems has previously been seen by some in our sector as expensive, intrusive and in some cases disproportionate to the risk present. We are committed to considering the need for water suppression systems as part of the design process for new builds and major refurbishments as part of the risk assessment process.
- Some fire experts believe that the retrospective installation of sprinkler systems is not necessary within low-risk general needs stock. However, our Health and Safety team will be discussing fire safety strategies for all building types the next meeting of the Local Government safety group. We'll feed back to members and any agreed standards will be implemented locally.
- Some schools have full sprinkler systems or partial sprinkler system, but most do not.
- Recent changes to legislation has removed the requirement to install sprinklers in new-build schools. This has been replaced with the requirement to 'consider' whether it would be appropriate to install sprinkler systems.
- A number of social housing providers have now commenced programmes of retrofitting sprinklers into their high rise accommodation, including councils in Leeds, Tamworth, Southwark and Nottingham.
- A 2011 pilot sprinkler retrofit project at Callow Mount, Sheffield found that the combined cost of installation and maintenance was £40 per flat per year over a 30-year time frame. Sheffield has subsequently rolled out sprinkler projects to other high rise blocks and some elderly persons accommodation.

- We will keep a close watch on discussions and any proposed changes coming out of the review of the fire at Grenfell Towers, and look at the use of these systems as part of our overall review of our fire safety approach.

Stay-put policy

- We do not have a coverall stay-put policy in our sheltered schemes, however as with OPHs some residents will have PEEPs recommending 'stay-put'. Following the Government's Guidance on Fire Safety in purpose-built blocks of flats, we do have a stay-put policy in most general needs blocks and signage is in place to this effect. However the Local Government Fire Safety Group (northern area) is meeting on 12 July 2017 and will discuss 'stay-put' approaches in light of any initial findings from the Grenfell Tower fire. This discussion will inform an assessment of whether we need to review our existing policy.

Licensing of private landlords/HMOs

- The responsibility for compliance with fire safety legislation lays entirely with private landlords under the Regulatory Reform Order (Fire Safety) 2005.
- For the private rented housing (14,000 homes in York):
- We have worked closely with North Yorkshire Fire and Rescue Service (NYFR) and have provided guidance on fire safety including information on how landlords should carry out fire risk assessments and the standards they should look to implement.
https://www.york.gov.uk/info/20097/private_landlords_and_tenants/1073/fire_safety_guidance
- Since the introduction of the Smoke and Carbon Monoxide Alarm (England) Regulations in 2015 it has been a legal requirement that **all** private rented accommodation has smoke detectors fitted to each storey of the property where a room is used wholly or partly as living accommodation. We worked closely with NYFR raising awareness of the requirement including the provision of free

smoke alarms. Penalties for not having smoke detectors could be a civil penalty notice of £5000. Since the introduction of the regulations, we have come across very few premises without smoke detectors. Those we have found without have been installed by the landlord the same day

https://www.york.gov.uk/info/20097/private_landlords_and_tenants/1755/smoke_and_carbon_monoxide_regulations

- Houses in Multiple Occupation (3,000 properties)
 - o Currently we licence all larger HMOs – (three storeys and above with five or more occupants – 473 such properties are licensed in the city) and our standards mean that it is insufficient to just install individual smoke detectors on each floor.
- Currently we don't licence smaller shared properties. We are awaiting further regulations which will extend licensing to smaller shared HMOs.
- We can also enforce fire safety standards via the HMO management regulations/Housing Act using the housing health and safety system.

New - Student Accommodation

Below is a statement from University of York

Fire Safety on University of York Campus

Meeting Regulatory Standards:

- The University campus does not have tower block student accommodation above 18 metres high.
- A recent assessment shows that we meet all fire safety regulations in respect of our building materials.
- We have a robust evacuation policy and there are dedicated fully trained members of staff in fire safety procedures in every building on campus.

Specific University Fire Safety Arrangements

The University has in place the following fire safety precautions that would allow the safe evacuation of all residents and users of buildings on our campus:

All students receive a Residential Fire Safety briefing at the start of term. This includes new starters, students on Centre for Global Programmes (CGP) courses and students of the International Pathway College (IPC).

- Automatic fire-safety-detection systems are in full working order, are maintained in line with standards, and fault monitored to ensure any identified failures are immediately highlighted and responded to.
- Protected Means of Escape (PMoE) are in accordance with the requirements of the Building Regulations and Regulatory Reform (Fire Safety) Order (RRO).
- There is a network of trained Fire Wardens and Sweepers.
- There is a policy of simultaneous evacuation across all buildings (***there are no 'stay-put' policies***).
- Annual fire drills in all Academic buildings and termly fire drills in residential accommodation check our procedures and peoples' understanding of fire alarms and evacuations.
- We undertake regular inspections, testing and maintenance of passive fire precaution arrangements.
- All staff receive Fire Safety training annually.
- Fire Risk Assessment (FRA) is undertaken by trained and competent staff, subject to regular audit and review by the Fire Authority
- Individuals with additional support requirements have a Personal Emergency Evacuation Plan (PEEP) in place.

The above measures give a significant level of assurance for persons occupying our buildings in the event of a fire. University Fire Safety management systems and arrangements are constantly monitored against legislative fire safety standards; any deficiencies are highlighted and remedial action taken.

Approved accommodation off campus (Student Castle)

- The building has a maximum height of 20m
- The cladding and insulation are compliant with fire and building regulations
- Fire safety equipment serviced as required by legislation
- Weekly tests are also done in house on the fire alarm system and monthly tests on the emergency lights.

Information for tenants and residents

- We have written to all tenants and leaseholders living in block with communal areas to provide details about CYC's approach to the management of fire safety.
- We have also issued a press release outlining our message to tenants and residents.
- We are also pulling together articles for the Streets Ahead magazine and our website.
- We will be reviewing the fire safety information we provide to tenants at 'sign-up'.

Regards

Mike Gilsenan

Head of Building Services