

Subject:	Housing Fire Safety Policy		
Date of Meeting:	18 January 2017		
Report of:	Executive Director, Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Rachel Chasseaud	Tel: 29-1837
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The council is required to comply with relevant legislation and subsequent guidance to minimise the fire risk to occupants in council owned housing stock. This includes the Regulatory Reform (Fire Safety) Order 2005 and the Housing Act 2004.
- 1.2 Inquests into the deaths caused by fires in Shirley Towers and Lakanal House high rise blocks in Southampton and Southwark concluded in 2013 and resulted in both Coroners issuing Rule 43 Letters (Prevention of future deaths) with recommendations the council should consider.
- 1.3 The policy sets out Housing's commitment to provide a safe environment in which our residents are assured that the risk of injury or damage to their homes caused by fires is minimised.
- 1.4 This paper also sets out additional work we are undertaking to improve fire safety in the housing stock.

2. RECOMMENDATIONS:

- 2.1 That the Housing & New Homes Committee approve the Fire Safety Policy attached at appendix 1.
- 2.2 That the Housing & New Homes Committee note the additional fire safety work that is taking place.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Between 2011 and 2016 there have been 4,076 fires in the city resulting in five fatalities, 190 casualties and 62 rescues. During 2016 there have been 20 fires within the council owned stock, tragically with one fatality.
- 3.2 The policy is a concise document which overarches a number of more detailed procedures that Housing work to. The main objectives of this policy are to ensure the council has adequate measures in place:

- To safeguard all relevant persons from death or injury in the event of fire
 - To minimise the risk of fire and limit fire spread
 - To minimise the potential for fire to disrupt services, damage buildings and equipment or harm the environment.
- 3.3 The policy outlines the key preventative work we have undertaken to minimise fire risks. It outlines that as the responsible person we have a duty to carry out Fire Risk Assessments in relevant premises. It also outlines the measures we undertake to protect residents against fires including the provision of fire doors, suitable signage and smoke alarms.
- 3.4 The policy formally confirms the delayed evacuation procedure that we follow in purpose built blocks where residents if not directly affected by the fire should remain within their property until advised otherwise, usually by the emergency services.
- 3.5 The policy outlines the information and advice we provide to residents, which ensures we are meeting the recommendations of Rule 43 by providing fire safety information for our residents to help them to understand what to do in the event of a fire. We have produced fire safety leaflets, provided advice in both the autumn and winter 2016 editions of Homing in and produced posters for our blocks of flats.

Supporting fire safety work

- 3.6 Alongside this policy we have also:
- updated our clear common ways procedure
 - started work on a vulnerable tenants and fire safety process. This will ensure that our most vulnerable tenants are assessed and an overall risk management plan and measures are put in place to support them and minimise fire risk
 - installed a sprinkler system in Somerset Point with further schemes subject to committee decision
 - agreed a cooker cut off pilot which will take place in one Seniors housing scheme.
 - reviewed mobility scooter storage options across the city
- 3.7 **Mobility scooters**
A review of mobility scooters, across the city was started earlier this year, assessing the storage options available for those tenants continuing to park in common ways. Advice from ESFRS is that scooters should not be parked in the common ways of residential blocks where they would block escape routes.
- 3.8 To help resolve the current issues we have a series of recommendations going forward which will involve us working with tenants affected to find individual solutions. These are:
- provide a low cost option for bolts and chains to be supplied by the Estates Service to secure scooters to the exterior of the buildings

- tenants can request alterations, to install an individual external storage unit at their own expense
- continued use of scooter stores where well used and new schemes where there is sufficient demand could be considered through Estate Development Budget funds
- review the current Tenancy Agreement and revise the clause on storage of scooters.
- ensuring that residents understand that if they are thinking of buying a scooter that they will need to identify where they are going to store it first.

We will also undertake a citywide communications campaign about the storage of scooters.

3.9 Two further pieces of partnership work are being undertaken as a result of our involvement with the Community Initiative Partnership, which is a multi-agency partnership led by East Sussex Fire & Rescue Service (ESFRS) bringing agencies together to minimise risks to vulnerable people. These are:

3.10 Hoarding protocol

A project group is working on a protocol in respect of hoarding. The purpose is to enable targeted multi agency support to vulnerable residents of Brighton and Hove who are known to hoard. The group are formed of the fire service, mental health services, Adult Social Care, Housing, G.P's and others, to develop a unified approach to resolving high level hoarding cases. The fire risks to property, the person, neighbours and fire fighters are higher where hoarding exists. An agreed multi agency approach will ensure risks are minimised and support made available to begin resolving the hoarding, at the earliest opportunity.

3.11 Resettlement initiative

ESFRS and the Police are working with Housing to develop information and agree processes, to enable safe supportive resettlement of vulnerable high risk incoming tenants. There are instances where an incoming tenant will not have lived independently, possibly for years and instead received intensive support to manage their accommodation. For example those leaving supported housing, hostels or prison are to be provided with additional support and visited where required to enable safe independent living.

4. COMMUNITY ENGAGEMENT & CONSULTATION

4.1 This policy highlights the partnership work we undertake with East Sussex Fire and Rescue Service. It also highlights the community work we undertake to run awareness campaigns with residents and events.

4.2 This draft policy has been reviewed by the Fire Health and Safety Board and the Tenancy and Neighbourhood and Community Service Improvement Groups before being considered by Area Panels in November and December.

4.3 The report was presented to Area Panels in November/December 2016. Area Panels discussed and fed back on:

- The use of sprinkler systems and the proposed programme to explore its use in two additional blocks. Furthermore they discussed the merits and concerns with this approach.
- The importance of the council publicising fire safety advice widely and the need for clear signage in blocks of flats. We agree with this and are putting up new signs, distributing leaflets and promoting Home Safety Visits by ESFRS.
- The support that should be available for tenants that present a fire risk. We do offer additional support to those who may be at greater risk of fires and this is being developed as part of the procedures linked to the policy.
- A councillor asked whether a smoking ban could be part of the tenancy agreement. Advice has been taken from Legal Services who have advised that this would be considered an unfair contract term and, on balance, an unreasonable interference with a tenants right which they would otherwise be able to enjoy in their home.
- Some blocks still have possessions on communal ways and where to report this
- The mobility scooter solutions and how they should take account of the continued use of stores and that residents should have a range of options available to them. That in some cases the Equality Act may apply where residents are provided with a mobility scooter through the DLA/PIP motability scheme. It was suggested vacant stores could be publicised when advertising empty properties and that EDB funds should not be used for individual mobility stores. We are building this into our new procedures for officers.
- Problems with not having enough power sockets to meet modern day living and this can lead to 'daisy chain extensions' and cause overloading of sockets. Furthermore that power sockets should be installed at a level that vulnerable tenants can reach to switch off at night. Tenants were informed that additional sockets are being installed and at a higher level as rewiring, refurbishments and new builds are done. This is required to comply with building regulation in any event.
- Concerns in one block that a resident was abstracting electricity from the common ways which is dangerous. We asked to be informed of this as it is a crime as well as being dangerous. We will do a weekend spot check of the building.
- Whether a fire officer can give talks at specific tenant meetings. This can be agreed with ESFRS.

Explanations were also sought on compartmentation, who specifies what a fire risk is, the cooker cut off pilot and the safe use of candles in properties.

5. CONCLUSION

- 5.1 The council has a statutory obligation to meet all relevant legislation. It should also follow subsequent guidance in relation to fire safety. This policy enables us to promote all relevant steps we are taking to meet this obligation.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 There are no direct financial implications from the recommendations in this report. The fire safety measures covered in this report are met within existing Housing Revenue Account Revenue and Capital Investment Programme Budgets.

Finance Officer Consulted: Susie Allen

Date: 07/12/16

Legal Implications:

- 6.2 Whilst there is no legal obligation on the council to have a Housing Fire Safety Policy, there is no legal reason why one should not be approved, as it will signal the importance that the council attaches to fire safety. In certain circumstances, failure to comply with the obligations under the Regulatory Reform (Fire Safety) Order 2005 is a criminal offence, with unlimited financial penalties.

Lawyer Consulted: Name Liz Woodley

Date: 23/11/16

Equalities Implications:

- 6.3 An Equalities Impact Assessment is in progress and this policy has been developed to take account of equalities issues. Our continuing fire safety work will put in place support for our more vulnerable households whether this is due to age, disability, mental health issues or chaotic lifestyles to order to minimise fire risk to themselves and others.

Sustainability Implications:

- 6.4 None

Any Other Significant Implications:

6.5 Risk and Opportunity Management Implications

This policy outlines how the council will minimise the fire risks to residents in council owned housing stock by complying with all relevant legislation and subsequent guidance. This will enable residents to live in a safe environment in which our residents are assured that the risk of injury or damage to their homes caused by fires is minimised. The fire safety work to support our more vulnerable households provides the opportunity for them to continue to live independently in their homes.

Corporate/Citywide implications

- 6.6 This policy supports the council's Corporate Plan 2015-2019 priority to improve the health and wellbeing of its residents. Furthermore by working in partnership it enables us to support East Sussex Fire & Rescue Service's key purpose to make communities safer.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Fire Safety Policy

Documents in Members' Rooms

None

Background Documents

None