

Calderdale Fire Safety Review | 2017

October 2017

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CMBC

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A.Fire Safety: Introduction

Background

The fire at Grenfell Tower which started on the night of 14 June 2017 is currently estimated to have claimed at least 80 lives, with the total destruction of a 24 storey tower block containing 127 flats, and the emergency rehousing of many hundreds of people including those displaced from neighbouring homes for safety reasons.

The building was owned by the local Borough of Kensington and Chelsea and managed by Kensington and Chelsea Tenant Management Organisation. It had been recently renovated with cladding fixed to the outer walls to give it what was deemed a smart finish.

The fire started in a fridge-freezer in a fourth floor flat and rapidly spread up the building. More than 250 firefighters and 40 fire engines were dispatched to tackle the blaze carrying out approximately 65 rescues. According to government sources, 350 people were estimated to have been housed in the building on the night of the fire.

Coverage of the fire has led to concern about fire safety among residents of tower blocks and questions have been raised about the effectiveness and response of the Government, Kensington and Chelsea Council (KCC) and the Fire and Rescue Service.

On 27 September 2017, KCC voted to terminate its contract with Kensington and Chelsea Tenant Management Organisation and find new management for its housing stock. KCC is now working with Kensington and Chelsea Tenant Management Organisation, to bring its contract to a close, citing lack of confidence in its fire safety record and a unanimous vote of no confidence from 25 residents' associations.

There is an ongoing fire investigation being carried out by officers from the London Fire Brigade with a separate criminal investigation being carried out by the Metropolitan Police. The Government has also announced a public enquiry into the fire chaired by Sir Martin Moore-Bick. The terms of reference for the enquiry are broad as would be expected. As well as looking at the technical fire safety and fire investigation issue the enquiry will seek to examine social housing policy and also the relationship between the residents of Grenfell Tower and the local authority. The initial outcomes of the enquiry are due to be presented to the Government in the spring of 2018.

The Westminster coroner has opened and adjourned her inquiries into the deaths of the victims who have so far been identified to await the conclusions of the police investigation and public inquiry.

Following the Grenfell Tower tragedy, the government has established a Building Safety Programme with the aim of ensuring high rise residential buildings are safe, and residents feel safe in them. The main parts to this work are:

- Finding other buildings that may be of concern
- Making existing buildings safe
- Identifying changes needed to make buildings safer in future
- Making the changes needed to make buildings safer in future.

In light of early concerns about the role cladding played in the Grenfell Tower fire, local authorities, housing associations, hospitals/ health care facilities, schools, further education colleges and universities across the country were asked to identify high rise buildings over 18 metres in height with Aluminium Composite Material (ACM) cladding.

On the advice of a panel of independent experts, initial screening tests were made available, at no cost building owners, to identify whether cladding was of 'limited combustibility' as this is one way that buildings over 18m can meet current Building Regulations guidance (on external fire spread). The tests were made available to social and private sector landlords and to public sector building owners (including hospitals and schools).

On the basis of the screening test results, and on advice from the Expert Panel, the government then commissioned a series of large scale system tests, testing how different types of ACM panels behave in a fire with different types of insulation.

Based on the tests conducted by the British Research Establishment (BRE) and the Expert Panel's advice, the key points are:

- ACM with an unmodified polyethylene filler (category 3 in screening tests) with any type of insulation presents a significant hazard on buildings over 18m
- ACM cladding with fire retardant polyethylene filler (category 2):
 - presents a notable fire hazard on buildings over 18m when used with *rigid polymeric foam* based on the evidence currently available
 - can be safe on buildings over 18m if used with *non-combustible insulation* (e.g. stone wool), and where materials have been fitted and maintained appropriately, and the building's construction meets the other provisions of Building Regulations guidance, including provision for fire breaks and cavity barriers
- ACM with a limited combustibility filler (category 1 in screening tests) can be safe on buildings over 18m with foam insulation or stone wool insulation, if materials have been fitted and maintained appropriately, and the building's

construction meets the other provisions of Building Regulations guidance, including provision for fire breaks and cavity barriers.

Following the large scale testing, the National Fire Chiefs Council (NFCC) is, with other fire safety experts, reviewing the advice on the interim fire safety measures and developing guidance on waking watch and common fire alarms.

On 28 July the Department of Communities and Local Government (DCLG) announced there would be a review of the building regulations and fire safety chaired by Dame Judith Hackitt, former chair of the Health and Safety Executive. The review is now underway, it will assess the effectiveness of current building and fire safety regulations and related compliance and enforcement issues, with a focus on multi occupancy high rise residential buildings. The review's two key priorities are to develop a more robust regulatory system for the future and provide further assurance to residents that the buildings they live in are safe and remain safe. An interim report will be submitted in autumn 2017 and a final report submitted in spring 2018. A call for evidence was made by the Review on 12 September. The Council's Building Control Manager submitted a response on behalf of Calderdale Council on 13th October 2017 (see Appendix 1).

Local Context

Following a Cabinet briefing and discussion at the Calderdale Council's Communities Scrutiny Panel shortly after the Grenfell blaze, elected members asked for a review of fire safety in Calderdale focusing on the issues arising and learning from the Grenfell Tower blaze. This report summarises the findings of the review which was carried out during the period July to September 2017.

A strategic Joint Review Task group has been established to oversee this work, and includes all relevant council service leads, Together Housing and representatives of the West Yorkshire Fire and Rescue Service (WYFRS).

This report provides an overview of the existing fire safety arrangements for high rise and other residential buildings in Calderdale as well as actions taken and measures put in place by the Council, Together Housing Group (THG) and WYFRS following the Grenfell Tower fire.

The matters raised in this report are only those which came to light during the course of the review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made.

Focus:

The review looked much wider than cladding and although the primary area of consideration was residential and sleeping risks, the Council's Corporate and Public Estate was also included in the review.

The review focused on three areas of investigation:

1. Fire Safety and Compliance

The fire safety review looked at the legislation, guidance and processes as they apply to new and existing buildings through planning, design, construction, maintenance and refurbishment and in doing so:

- considered the duties and responsibilities of key organisations/individuals within the fire safety regulatory system
- assessed current fire safety compliance and made recommendations that will help ensure the local practice and regulatory system are fit for purpose with a particular focus on multi-occupancy high-rise residential buildings, mill conversions, houses in multi occupation and high risk housing sectors.

2. Readiness and ability to respond

The review considered Calderdale's immediate emergency response and longer term local recovery/resilience arrangements to ensure that any gaps were identified and responded to.

3. Wider Community Impact

The Review has sought the input of relevant stakeholders and members of the community and considered issues of public confidence and community resilience and made recommendations in light of the literature search and evidence gathered.

Limitations:

Given the very broad scope of the review and timeline, in some places a detailed description is limited by the breadth of the analysis.

Summary

1. Fire Safety: Roles and Responsibilities

When it comes to fire safety both the Local Housing Authority and the Fire and Rescue Authority have a range of responsibilities to ensure that dwellings are fire compliant and people remain safe in their homes. There are a number of activities that statutory authorities can take to achieve this goal from promoting awareness and good practice to enforcement action.

The introduction of the Regulatory Reform (Fire Safety) Order 2005 (FSO) and the Housing Act 2004 has imposed an analogous duty on the two statutory authorities to enforce certain fire safety provisions.

The FSO, enforced by the Fire and Rescue Authority, introduced duties in relation to fire safety in the common areas of Houses in Multiple Occupation (HMOs), flats, maisonettes and sheltered accommodation in which personal care is not provided.

Alongside the FSO, the Housing Act 2004, enforced by the Local Housing Authority, brought in a new system of regulation for fire safety in existing residential premises by way of the housing health and safety rating system (HHSRS), licensing provisions for houses in multiple occupation (HMOs) and management regulations for HMOs.

The HHSRS is a risk based approach that covers individual flats within a block and also communal areas; it can be used to assess hazards in private and social rented housing as well as in owner occupied housing.

In order to avoid duplication and the potential for conflict in relation to communal areas of multi-occupied buildings, the Fire Safety Protocol establishes a framework for joint working arrangements between these two sets of authorities. Calderdale Council has a schools protocol and a corporate estate concordat with WYFRS detailing the Council's responsibilities and those of the WYFRS.

Calderdale Council has broader responsibility for the wellbeing of everyone in the borough, through additional statutory powers such as building control, planning and its relationships with other agencies; the Council has influence and powers to ensure that people are properly protected.

In Calderdale any new build or refurbished building must comply with the 2010 Building Regulations (as amended). The technical requirements for new construction that must be met under the regulations are set out in Approved Documents. These provide practical guidance on how to comply with the requirements of the regulations, and also reference more detailed British Standards and other guidance. It is the responsibility of anyone carrying out building work to ensure compliance with the regulations. Local Authorities are responsible for enforcement and Fire Safety

Authorities are statutory consultees on fire safety under the regulations.

Many of the high rise buildings in the UK were built between the 1960's and 1970's. At the time they were built different regulations and inspection regimes were in place. Since then the building regulations have changed, and inspection regimes have shifted the emphasis onto the developers/designers and manufacturers of products to provide assurance on compliance with fire safety.

It is important to note that Building Control services cannot withhold approval on materials that have been tested as suitable or adequately assessed. Further **building regulations are not retrospective** hence the option for direct action on existing buildings, where new work is not being carried out, cannot be actioned under the scope of the building regulations.

What has become apparent after the fire at Grenfell Tower is how complicated and confusing the guidance published to support the building regulations is. This is not the first time this issue has been raised. After the 2009 Lakanal House fire Inquest, which reported in 2013, the Coroner stated that Approved Document B (which covers fire safety in high rise buildings) "is a most difficult document to use".

Other issues raised with the existing regulations include the overall approach to external fire threat, competence and certification, means of escape and installation of sprinkler systems.

As a planning authority, Calderdale Council can generally decide whether to allow a particular development or not, however, the Town and Country Planning (General Permitted Development) Order 1995 enables central government to permit certain types of developments. Local authorities are able to remove permitted development rights that are of particular significance given the character of an area by issuing an Article 4 Direction.

2. Fire Safety: Current Position

The Grenfell Tower blaze on 14 June 2017 has had unprecedented implications for the housing sector and beyond, and Calderdale Council and its partners have responded quickly and thoroughly to react to the emerging issues from this disaster.

The Council have called for a Fire Safety Review within the Borough and key officers along with partners from WYFRS and THG are meeting on a regular and ongoing basis to work on fire safety within the borough.

High Rise buildings over 18 metres

Information obtained from WYFRS suggests that there are 41 high rise buildings in the Calderdale district, 6 of these are owned by THG.

Following confirmation that the cladding had failed tests on three of THG's tower blocks (Jumples Court, Mixenden Court and Wheatley Court), Calderdale Council has continued to liaise with THG and WYFRS to ensure that appropriate safety and response measures are in place.

THG's immediate response (and the response throughout) has been to maintain the safety and wellbeing of all households and visitors to its housing stock. Working closely with WYFRS, an immediate review of THG's existing fire safety assessments has been carried out, as well as engaging with their tenants to address any concerns. Upon reviewing the fire safety arrangements and mitigation measures in the three affected blocks, THG and WYFRS agreed that there is no need to evacuate tenants (either now or during the period of any works) and they continue to maintain the "Stay Put" policy as recommended by WYFRS.

Additional resources have been invested by THG to ensure that fire safety issues and actions are responded to speedily. Extra fire and electrical testing and related works are taking place and staff patrols have been enhanced within the three Mixenden tower blocks. A vulnerability database (of all occupants residing in the 16 THG high-rise blocks) has been compiled with the purpose of identifying residents who are not confident /feel able to self-evacuate/ negotiate the stairs on their own. This list is readily available to WYFRS and periodic updates will be undertaken.

Works to remove the failed cladding and insulation started in September 2017 and are progressing well.

WYFRS has informed the Council that they have real confidence in the THG response and are very supportive of their approach. The District Commander – has assurance that interim arrangements are adequate and has no concerns.

A private tower block, Dodge Holme Court in Mixenden, is also undergoing renovation. Although of similar build to the three THG blocks in Mixenden, it is not cladded. A sprinkler system and fire detection equipment will be installed as part of the first fix of its refurbishment.

Converted Mills

WYFRS and the Council identify mill conversions and HMO's as there biggest area of concern due the level of risk they present, often because of the failure or potential failure of landlords to act.

Mapping the current profile of mills in Calderdale is a challenge as there no single place that comprehensive data is stored. Data does exist in areas but this is specific to enquiry, or advice given, and often this data is lost in records and systems. This is

similar to the enquiry about cladding.

On balance most buildings if constructed appropriately and which continue to be in use, maintaining appropriate standards should remain safe, however, there is some risk that where building owners and their agents do not act proactively to manage their assets and maintain the standards of fire safety, hazards may potentially develop due to abuse or misuse of the premises.

HMOs & Other High Rise Sectors

There are 51 known licensable HMO's in the private rented sector in Calderdale.

Data and modelling carried out through the Stock Condition and Health Impact Assessment carried out for Calderdale Council by the Building Research Establishment (BRE) in 2015-6 suggests that there are a further 1400 which do not require a HMO license but still carry a higher risk because of the nature of the mixed occupation and shared facilities. Like mill conversions there is no known data set which easily captures and monitors the tenure of residential property.

Within the Council and particularly within environmental health there are some resource issues where the department is currently low on numbers of qualified staff to respond to fire safety related concerns in residential dwellings. A number of environmental health staff have been trained up, however, their roles continue to remain generic to meet broader service needs.

G4S, a company contracted by central government to provide housing for dispersed asylum seekers, has some multi-storey residential buildings suitable for multi-occupation but these tend to be low level builds and non are cladded as far as the Council is aware. Due to the short window of consultation and capacity of the Council's Environmental Health Team, professional opinion is sought from the team about the suitability of proposed dispersal property (as well as other colleagues and organisations) but a visit is not made. This approach has recently been reviewed.

Registered Providers (RPs) are independent housing organisations set up to provide affordable homes for people in housing need. In total there are 15 RP's of various sizes operating in Calderdale, the majority have responded to the review and provided position statements outlining the work they have taken or are proposing to take following the Grenfell blaze. None of the RP's have high rise cladded property in Calderdale of any concern.

Nursing and Residential Accommodation

Ten Supported Living providers provide services across 47 different addresses with occupancy ranging from single units to 8 units. All have smoke detection and Personal Emergency Evacuation Plans in place (PEEPs). Fifteen have sprinkler

suppression systems in place. Six of the responses include 4 storey builds, half of these have a sprinkler.

There are 48 Care Home Providers comprising 52 units broken down as follows: 31 Residential, 10 Nursing, 7 Residential Elderly & Mentally Infirm (EMI e.g. dementia care) and 4 Nursing EMI. Occupancy levels range from 4 residents to 106 residents. Buildings range from single storey (7) to five storey (2), the majority of buildings being two or three storeys. None of the buildings are cladded. All have PEEPs in place for residents and smoke detection. Seven of the buildings have sprinkler suppression systems, the seven does not include the five storey building or the one with the most residents.

The Council's only CMBC elderly residential property, Ferney Lee, has comprehensive fire precautions supplemented by automatic fire suppression.

Other Bigger Public Use Premises

With respect to CMBC residential sleeping accommodation there is no cladding on the exterior of buildings which would increase risk. However there are two buildings in the corporate estate that will have their cladding reviewed but these two buildings the **Shay Stadium and King Cross Library** are not a concern and do not contain Aluminium Composite Materials. Both these premises are managed to ensure they have specific operating practices in place to maintain safe and effective evacuation of significant numbers of occupants.

Calderdale Council is the responsible body for 44 **community schools** across the borough. Only one community school has a building of 4 storeys and above, none have cladding of concern. Each of these schools is responsible for commissioning a fire risk assessment and ensuring the actions identified are completed. All schools are responsible for reviewing the risk assessment on an annual basis. Schools conduct a weekly test and perform an organised full evacuation drill at least once every school term (three times a year). CMBC does not have control over academies within the Borough.

Looking at the wider education sector, although part of a building on **Calderdale College's campus** has cladding it has been checked and met relevant standards. The college hasn't installed sprinklers in its buildings. Fire assessments have been reviewed on a more frequent basis over the last two years due to refurbishment taking place on site.

In relation to NHS Premises, locally, **Calderdale and Huddersfield NHS Foundation Trust** undertook an overall fire risk assessment of its premises on 19th June 2017 detailing the location of their premises with partial cladding.

A local operational Fire and Rescue Team visited Huddersfield Royal Infirmary on Sunday 25 June 2017. Whilst this team is not responsible for technical fire safety they, and their Senior Fire Safety Officer, were assured with the level and competence of in-house fire safety advice and support provided by the Fire Manager and Authorising Engineer (as required under Health Technical Memorandum 05-01).

CMBC Corporate Estate

The Council's Health and Safety Manager and Building Control Manager are working together with the Council's Assets and Facilities Management Team to ensure that fire risk assessments are up to date and extensive measures are in place to ensure that the Council's buildings comply with fire safety regulations. A Fire Safety Strategy has been produced and an audit of premises is currently underway – this is a protracted process and will take some time.

As work has started to progress a number of key themes are developing, these are:

1. The lack of a dedicated resource to support CAFM and the wider Services with their duties and responsibilities for Fire Safety
2. A lack of funding to ensure that all corporate premises have and maintain high standards of appropriate fire precautions
3. An increasing awareness that we provide residential accommodation with varying degrees of care and supervision for vulnerable people, and that many of these people have complex needs that may lead them to struggle to make a safe, effective evacuation in the event of a fire. These risks may be mitigated by the retrofitting of automatic fire water suppression system.

The Council is currently looking at retrofitting a sprinkler system into Heatherstones and the six dwellings attached to the Borough Market above Market Street

3. Fire Safety: Readiness and Response

Existing multi-agency Gold, Silver and Bronze partnership arrangements ensure that effective governance/ leadership is in place during a critical and emergency incident lead and support strategic and partnership responses.

The profile and expertise of the Emergency Planning and Resilience team, which currently includes a secondment from WYFRS and has built within it a 24/7 response, allows resources to flex across both Community Safety and Emergency Planning agendas at times of need. This ability to maximise resources and to involve partners, including members of the West Yorkshire Resilience Forum and wider community, has ensured that outcomes have been successfully achieved across a wide variety of critical incidents.

The Council's Emergency Incident Plan is a generic plan used in all emergencies. It sets out who does what within the Council and a framework for responding. In addition, the Council has other plans which focus on either an identified risk or enabling the response to an emergency, for example a Rest Centre Plan. Emergency response and recovery arrangements are flexible and tailored to reflect local needs and evolving circumstances.

High-rise buildings inherently create challenges to fire-fighting due to their design. WYFRS collects information on such premises, and firefighters are trained and equipped to respond to fires in high-rise buildings. Mutual aid agreements ensure that additional personnel, equipment and appliances from across the region and more widely can be called upon should the need arise.

WYFRS continues to work with Local Authority partners, landlords and managing agents across West Yorkshire to promote best practice.

Firefighters now spend much of their time visiting vulnerable people in their homes, discussing fire safety and offering advice to eliminate or reduce the risk of a fire happening in their home. They also discuss a practical fire escape plan to make sure that if the worst does happen, the occupants can escape safely with their families.

Learning from the closure of Dodge Holme Court and the evacuation and rehousing of residents during the Boxing Day Floods in Calderdale has helped inform/shape local resilience and response arrangements. Significant community and staff time has been invested to ensure that Calderdale continues to be a safe place to live.

Learning from the Grenfell Public Enquiry will continue to help inform Calderdale's partnership resilience and response to high rise build

4. Fire Safety: Community Impact

Below is a summary of the key issues/discussion points raised during the Councils' public consultation on Fire Safety:

- 1. Approach to future housing development.**
- 2. Vulnerable & Older Residents - Allocation and Lettings Policy.**
- 3. Impact of the 'right to buy' and mixed tenures**
- 4. Sense of community**
- 5. 'Stay put' policy**
- 6. Impact of Ledbury Towers, Southwark**

1. Fire Safety: Roles and Responsibilities

1. Fire and Rescue Service

a. Background

On 5th January 2016, the Home Office assumed ministerial responsibility for fire and rescue matters, previous to this the DCLG was the lead government department. The Home Office sets out the overall structure of the 46 fire authorities in England and is responsible for the legislation and guidelines that the Fire and Rescue Service is required to work within. The government provides some funding to the fire authorities through an annual grant from central government to meet on-going costs, remaining funding is met from the local precept.

The West Yorkshire Fire and Rescue Authority (WYFRA) is the publically accountable body responsible for providing fire and rescue services on behalf of the communities of West Yorkshire. The Authority is made up of 22 local councillors appointed in accordance with a statutory formula by the five constituent authorities within West Yorkshire (Bradford, Calderdale, Kirklees, Leeds and Wakefield Councils). The Authority's role is to set the strategic direction of service and to monitor service delivery; set annual budgets, council tax precept levels and approve service plans, policies, strategies and targets.

Under the Fire & Rescue Services Act 2004 WYFRA is charged with the provision, training and equipping of a Fire and Rescue Service capable of undertaking the following functions:

1. Fire Prevention
2. Fire Safety
3. Firefighting and Rescue
4. Road Traffic Collision extrication and rescue
5. Other emergency rescue activities such as responding to flooding and terrorist attack
6. Special discretionary services (these may be subject to charging).

WYFRA achieves this via services delivered through West Yorkshire Fire and Rescue Service (WYFRS) which itself serves a population of more than two million people over an area of more than 800 square miles. WYFRS is divided into five district management areas and is one of four fire and rescue services making up the Yorkshire and Humber Region. WYFRS has arrangements in place with each of its neighbouring fire and rescue services to assist each other when incidents occur close to or over the border.

Calderdale, like the other districts, has a District Commander who is supported by

the District Team. The District Commander determines how best to deliver services to the Calderdale community taking into account resources and risk to ensure that an effective service is delivered at the local level.

In Calderdale the Risk within the district varies from isolated and remote rural villages to large and densely populated towns. In recent years, Calderdale has experienced several damaging floods and a number of large moorland fires.

b. Regulatory responsibilities

This section of the report provides a general overview of fire safety legislation for existing residential accommodation. It does not provide an in-depth, detailed knowledge of the legislation or cover all details.

i. Fire and Rescue Services Act 2004

Under section 21 of the Fire and Rescue Services Act 2004 the Secretary of State is required to provide a National Framework for fire authorities. Whilst the Fire and Rescue National Framework sets out the Government's priorities and objectives for fire and rescue authorities in England, it does not prescribe operational matters as these are determined locally by fire and rescue authorities.

The National Framework's high-level expectations of fire and rescue authorities include:

- identifying and assessing all foreseeable fire and rescue related risks
- making provision for prevention and protection activities and responding to incidents appropriately
- working in partnership with communities and partners locally and nationally to deliver services
- providing appropriate levels of accountability, assurance and transparency to local communities.

As part of the national framework WYFRA is required to produce an annual Statement of Assurance. The purpose of the statement is to provide independent assurance to communities and the Government that the service is being delivered efficiently and effectively.

ii. Regulatory Reform (Fire Safety) Order 2005

The Regulatory Reform (Fire Safety) Order 2005 came into effect in October 2006 and applies to all non-domestic premises in England and Wales, as well the common parts of blocks of flats and houses in multiple-occupation (but not individual flats/units).

The FSO places duties on housing providers to risk-assess fire safety in their properties, to take adequate precautions to reduce that risk and to manage that risk which remains. The duty is placed on the responsible person, who is required to carry out a fire risk assessment and take specific action to ensure, as far as is reasonably practicable, the safety of the people on the premises or in the immediate vicinity.

The FSO introduces the need for landlords and building owners as **the responsible person** to comply with the following duties:

- carry out a fire-risk assessment identifying any possible dangers and risks
- consider who may be especially at risk from fire
- eliminate or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left
- take other measures to make sure there is protection if flammable or explosive materials are used or stored
- create a plan to deal with any emergency and, in most cases, keep a record of findings
- review findings when necessary addition, employers should nominate a competent person, or competent persons, to carry out a risk assessment
- carry out actions in response to the risk assessment and remedy defects identified.

‘Responsible person’ means “the person who has control of the premises in connection with the carrying on of a trade, business or other undertaking”. In practice this will usually be the landlord, but in the case of absentee landlords where the “carrying on of the business” is undertaken by a managing agent it may be the managing agent.

Under the Regulatory Reform (Fire Safety) Order 2005, Fire and Rescue Services have a statutory duty to ensure compliance and enforce the requirements where necessary.

Lead Authority for Fire Safety

Guidance for housing providers and fire and rescue authorities is contained in HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide.

In respect of houses in multiple occupation and in flats/maisonettes and sheltered accommodation, the regulatory framework provides for dual enforcement between local housing authorities under the Housing Act 2004 and fire and rescue authorities under the Regulatory Reform (Fire Safety) Order 2005.

Table showing the 'Lead Authority for Fire Safety'

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework	National Guidance
Single dwelling , including shared housing (Fire risk assessment not required)	Calderdale MBC	Housing Act 2004 Housing health and safety rating system (HHSRS)	HHSRS Operating Guidance and HHSRS Enforcement Guidance both issued by Communities of Local Government (CLG)
House in Multiple Occupation (HMO) whether or not subject to mandatory, selective or additional licensing	Calderdale MBC	Housing Act 2004 HHSRS Licensing provisions for HMOs Management regulations for HMOs	HHSRS Operating Guidance and HHSRS Enforcement Guidance
Self-contained flats (whether purpose built or converted), including high rise stock and converted mills	Calderdale MBC	Housing Act 2004 HHSRS	HHSRS Operating Guidance and HHSRS Enforcement Guidance
Common parts of HMOs, self-contained flats (whether purpose built or converted) including high rise stock and converted mills	Dual enforcement regime: Calderdale MBC or West Yorkshire Fire and Rescue Service	Housing Act 2004 HHSRS Regulatory Reform (Fire Safety) Order 2005 (FSO) <i>The order will not apply to some HMOs which are occupied as 'shared houses'</i>	HHSRS Operating Guidance and HHSRS Enforcement Guidance HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide, published by CLG
Nursing and Residential Homes	West Yorkshire Fire and Rescue Service	FSO	HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide
Bigger Public Use Premises	West Yorkshire Fire and Rescue Service	FSO	HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide
Premises with mixed commercial and associated residential accommodation and sheltered housing	West Yorkshire Fire and Rescue Service	FSO	HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide
Hostels/bed and breakfast establishments/hotels	West Yorkshire Fire and Rescue Service	FSO	HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide
All multiple-occupied accommodation that is owned or managed by the Housing Authority	West Yorkshire Fire and Rescue Service	FSO	HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide

*The table acts as a general guide – certain premises will fall under more than one category

** Housing design varies across the country and there are certain types of houses specific to certain regions which require a specialist solution. In such cases, local guidance may need to be developed.

2. Environmental Health

a. Background

As well as supporting 16 other functional areas of regulatory activity, the Council's Environmental Health Officers also work with landlords and tenants to provide safe and secure housing within the Borough. Officers are responsible for carrying out Housing inspections, Houses in Multiple Occupation (HMO) licensing, and other public health service requests.

b. Regulatory responsibilities

i. Housing Act 2004: Housing Health and Safety Rating System

In England and Wales, the primary piece of legislation for housing in relation to fire safety is the Housing Act 2004. The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) which is used to assess twenty nine categories of housing hazard, one of which is fire. The enforcing authority for the Housing Act 2004 is the local housing authority (the local council).

The Housing Act 2004 applies to a wide range of dwelling types, including individual flats within a block and common parts also. Under the HHSRS, a residential property should provide a safe and healthy environment. It should be designed, constructed and maintained with non-hazardous materials and should be free from unnecessary and avoidable hazards.

The HHSRS Operating Guidance explains how to make an assessment of the fire hazard in a residential dwelling. It is based on a risk assessment approach, the principal aim of individual risk assessment is to reduce or eliminate hazards to health and safety in domestic accommodation.

Under the HHSRS, the fire hazard covers:

- Threats from exposure to uncontrolled fire and associated smoke in a dwelling
- Injuries from clothing catching alight on exposure to an uncontrolled fire

Fire safety is assessed according to certain risk factors as follows:

- number of storeys
- layout of house
- distance to travel from farthest point in the house to the final exit
- number of occupiers in the dwelling
- type of occupation
- structural fire precautions already in place in the dwelling
- fire detection and alarm systems provided.

For multi-occupied buildings the assessment is made for each individual dwelling, including its associated shared rooms/areas and its access and escape route, not the building as a whole. This means that different hazard ratings can be expected for dwellings within the same building, depending, amongst other things, on the location of the dwelling unit within the building and any deficiencies to the individual dwelling. For example, a flat on the ground floor close to the final exit from the building would not be assessed the same as a flat on the third floor where the means of escape is the internal staircase (even if both flats are identical apart from their location). If a fire occurred, the harm caused to a victim in the third storey flat would be more severe than the person in the ground floor flat because there would be a greater distance of travel to safety.

If a local authority discovers serious category 1 hazards in a home, it has a duty to take the most appropriate action. Local authorities are advised to try to deal with problems informally initially, but if this is unsuccessful, they could require a landlord to carry out improvements to the property. Local authorities also have powers to prohibit the use of the whole or part of a dwelling or restrict the number of permitted occupants. Where an occupier is at immediate risk, the authority can take emergency remedial action.

For England and Wales, a protocol between local housing authorities and fire and rescue authorities helps to improve fire safety sets out the relationship between the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

The protocol outlines joint working arrangements which could be undertaken between local housing authorities and Fire and Rescue Services to deliver the objective of improved fire safety. It is a framework which provides the basis for collaboration at a local and regional level.

Fire and Rescue Services have a legal duty to enforce the Fire Safety Order in the common areas of all residential accommodation not forming a single private dwelling. Local housing authorities are responsible for utilising the HHSRS to identify and if necessary act upon, significant hazards found within housing.

ii. **The Management of Houses in Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007**

The Management of Houses in Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 place requirements on the managers of all HMOs (whether licensable or not) in respect of fire safety. (The latter Regulations apply to converted blocks of flats to which section 257 of the Housing Act 2004 applies and the former apply to all other HMOs).

The purpose of the management regulations is not to require additional fire safety precautions but to ensure that existing precautions are properly maintained.

The Regulations are designed to ensure:

- that any part of the house occupied by a resident is kept in good repair
- that there are adequate facilities for the number of occupants
- that fire alarms and fire safety equipment is properly maintained and regularly checked
- that all means of escape from fire are kept free from obstruction

They apply to all houses in multiple occupation as defined by the Housing Act 2004.

Whilst most of the duties are imposed on management, tenants do not escape some specific responsibilities. Every occupier of a HMO must comply with the reasonable instructions of the manager in respect of any means of escape from fire, the prevention of fire and the use of fire equipment.

The Housing Act 2004 also introduced licensing of HMOs. Basic fire safety conditions including provision of alarms have to be imposed if the premises requires a license under Housing Act 2004 and Councils have the discretion, subject to appeal, to impose additional fire requirements.

There are three types of license.

a. Mandatory License

This applies to HMOs of three or more storeys that are occupied by five or more people from two or more households and there is a shared amenity, such as, kitchen, bathroom or toilet.

b. Additional Licensing (HMO)

This is a discretionary scheme which Council's may apply by Declaration. It can be applied to any HMO, other than those requiring Mandatory Licensing. The Council has discretion on the extent of the area affected and the type of HMO e.g. could limit to HMOs with only four persons, or could apply to all other.

c. Selective Licensing

This is a discretionary scheme which Council's may apply by Declaration to any rented dwellings which are not a HMO i.e. family/ single households. It can cover all or part of the Council's district.

Presently Calderdale supports a Mandatory Licensing scheme. Landlords of properties covered by the scheme have a duty to apply for a license for their properties. Following receipt of a licence application and fee the Council issues a

license with specific management and improvement conditions and inspects the property within the lifetime of the licence.

Licensing of HMOs under Part 2 of the Act makes a specific duty of the licensing scheme to ensure that there is no HHSRS action to be exercised by the Council.

Landlords must carry out a fire safety risk assessment of their properties. Inspections are made to ensure compliance with these conditions and where the relevant standards are not met the appropriate enforcement action taken. Where landlords fail to licence or manage their premises the appropriate enforcement action is taken.

iii. **The Smoke Alarm and Carbon Monoxide Alarm (England) regulations 2015**

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 became effective on 1 October 2015 and established new duties for private sector landlords.

Private sector landlords are now required to provide at least one smoke alarm on every storey of their respective properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance (eg a coal fire, wood burning stove) to all completely new tenancies entered into after this date. They are also required to ensure that the alarms are in working order at the start of each new tenancy.

Tenants are responsible for testing and ensuring alarms are working during the course of any tenancy, and if found to be faulty or not working for any reason to liaise with their landlord to make sure this is addressed.

The regulations apply to all 'specified tenancies', i.e. residential premises where a person or persons have a right to occupy the premises and rent is payable. A range of tenancies are excluded including registered social landlords, lodgers, long-leases, student halls of residence, hostels and refuges, care homes, hospitals and hospices.

Local housing authorities are responsible for enforcing the regulations. They are able to issue remedial notices requiring a landlord to fit and/or test the alarms within 28 days. If the landlord fails to comply with the notice, the local housing authority must, if the occupier consents, arrange for the alarms to be fitted and/or tested. A fine of up to £5,000 can be imposed where a landlord fails to comply with a remedial notice.

3. Building Control

a. Background

Calderdale Council is the planning authority for development in the Borough, whilst the Building Control Service enforces the Building Regulations and provides a service of last resort.

People undertaking building work may choose to use the local authority for their Building Regulation application or an alternative private sector provider known as an Approved Inspector. Approved Inspectors are appointed by Client, Contractor or Design Team, serving an 'Initial Notice upon the authority that prevents the Council from further involvement with the project. Local authorities compete against private sector Approved Inspectors to deliver their building regulations service.

b. Regulatory responsibilities

i. Building Regulations 2010 (as amended)

The powers to make Building Regulations are contained in the 1984 Building Act. The 1984 Act provides that Building Regulations be made for the purpose of securing the health, safety, welfare and convenience of persons in or about buildings; for furthering conservation of fuel and power; and for preventing waste, misuse or contamination of water. The purposes in the Act have been extended by the Sustainable and Secure Buildings Act 2004 to include powers relating to the sustainability and security of buildings. Building Regulations are designed to deliver buildings which are safe and healthy with high standards of accessibility and sustainability increasing progressively over time.

The regulations have been periodically updated, rewritten or consolidated, with the latest and current version being the Building Regulations 2010 (as amended), including 16 subsequent amendments, the latest being the Building (Amendment) Regulations 2016.

The Building Regulations statutory instrument covers the when, how and what standards are applicable to certain types of construction, the means of making applications and giving notice of certain stages of the work to permit inspection.

The functional requirements of the Building Regulations are contained within Schedule 1 with each subject being a separate Part. Further clarification and guidance on each part are published as Approved Documents.

Fire Safety is dealt with in Part B and is covered by two volumes containing a variety of interrelated measures to maintain ease of escape, support fire-fighting measures and reduce the spread of fire.

ii. Regulation 38 of the Building Regulations (England and Wales)

Once a building is occupied the Fire Safety Order 2005 (FSO) requires a Fire Risk Assessment to be carried out, to take into account how the users are actually using the building (and any fire risks that brings to the building) and the "Responsible Person" to provide and maintain "suitable and sufficient" general fire precautions.

Regulation 38 of the Building Regulations (England and Wales) links the Building Regulations to the FSO for those buildings to which the FSO applies. It requires the designer and/or constructor to give the fire safety information to the Responsible Person, upon completion. This is to enable a competent person to carry out a fire risk assessment.

If the FSO applies to the premises or will apply following building work, it is a legal requirement that the building control body must consult with WYFRS. The FSO applies to most premises, however domestic premises occupied as single private dwellings are not included.

In deciding the suitability of design proposals for building regulations purposes, WYFRS will consider the guidance provided in "Approved Document B – Fire Safety" however there may be other ways in which an equivalent level of fire safety can be achieved.

Whilst WYFRS will offer observations to the building control body (BCB) regarding compliance with the Building Regulations, the primary role is to provide the applicant (via the BCB) with advice on how completed building work must comply with the RRFSO so that satisfactory levels of fire precautions are in place once the building becomes occupied.

This type of consultation ensures, as far as possible, that no additional works are necessary once the building is occupied.

On occasions it may be necessary to exceed the recommendations of the guidance supporting Part B of Schedule 1 to Building Regulations, in order to achieve a suitable and sufficient level of fire safety required under the Fire Safety Order 2005.

The Fire Safety Order 2005 is criminal law, and breaches of this law can result in the "Responsible Person" being jailed for up to two years and fined for each offence. Corporate offences may have unlimited fines. Enforcement is by the local fire authority.

WYFRS conduct routine fire safety audits, based on risk, of most types of premises so it is in the interests of the building owner, occupier, or other responsible person, to ensure that risk appropriate fire safety standards are maintained throughout the life

of the premises. The service has adopted national procedural guidance for dealing with consultation relating to building regulations.

c. The Building Control Process

i. Building Regulation Approval

If using the Local Authority building control service, approval can be obtained in one of three ways:-

1. Full Plans
2. Building Notice
3. Regularisation

1. Full Plans This is the most thorough option. Drawings are deposited with the Local Authority and the various stages of the work are inspected and checked for compliance with the relevant technical requirements of the Building Regulations. Checks are made of drawings, specifications, calculations, fire strategies including consultation with the Fire and Rescue Service. Proposals are then either - Passed, Passed with Conditions or Rejected.

2. Building Notice This type of application is for smaller/minor projects. Work can start two days after the notice is submitted to the Local Authority. The various stages of the work are then inspected and approved by the Local Authority but no plans are checked and unlike the submission of full plans formal approval is not given. This method cannot be used if the premises contain a workplace, or creates new flats.

3. Regularisation This is the retrospective approval for work already carried out without consent – from the Local Authority (only). The Local Authority will assess, and verify by means of site visits, plans and information submitted, identify non-compliant items, open up and inspect works, monitor the making good of defective work and, if satisfied, issue a Certificate. An application for a Regularisation Certificate does not prevent the Authority taking legal action for failure to comply with the Building Regulations when the work was first carried out. Only work carried out after 11 November 1985 can be approved in this way.

Completion Certificate" or "Final Certificate"

Building control bodies are responsible for checking that work complies with Building Regulations' requirements. It is the responsibility of those carrying out the work to ensure that the provisions of the regulations are fully met.

A Building Control Body issues a "Completion Certificate" or "Final Certificate" upon the practical completion of each building project to state that the work meets the technical requirements of the Building Regulations.

If an Approved Inspector cannot do this due to omissions and/or known failures of the building work to show compliance with the relevant technical requirements of the Building Regulations, then the relevant local authority can investigate and consider the need to take appropriate enforcement action.

Building Regulation 'Enforcement Action' and/or 'incomplete work status' is normally recorded in the Local Lands Charges Register, held as a 'public record' by the relevant local authority. Solicitors must search these records prior to any purchase of any building.

In 2002 the government introduced self-certification (Competent Person's) Schemes, which allow individuals and enterprises to self-certify that their work complies with the building regulations as an alternative to submitting a building regulation application or using an approved inspector. A Competent Person must be registered with a scheme that has been approved by the Department for Communities and Local Government (DCLG).

ii. Site Inspections

Building Control Inspectors carry out inspections of the works on site on a risk assessed basis balanced against available resources (staff are not on site every day and therefore do not see all details of the build). Once the building is complete, a completion Certificate is issued and Building Control's involvement is over.

The time spent assessing applications, the level of building control expertise and checking regime can vary between individual local authority building control departments and also between private approved inspectors.

Like all public-sector departments, building control has come under cost pressure. This is exacerbated by the need for local authority building control departments to compete for business with approved inspectors. Cost pressures could affect the level of scrutiny building control applications are subjected to.

As the public purse has shrunk and budgets tightened there are now less people in local authority building control than there were some time ago. Where workload is reactive this means less time to scrutinise building control applications when the level of building applications increase. It also means less time for on-site inspections to make sure the materials in the specification aren't substituted for cheaper products on site and to check workmanship.

Building control services operate strictly within the building regulations and cannot

withhold approval on materials that have been tested as suitable or adequately assessed. Further **building regulations are not retrospective** hence the option for direct action on existing buildings, where new work is not being carried out, cannot be actioned under the scope of the building regulations.

iii. Rain screen cladding - Mixenden

The provision of cladding to cover the exterior of buildings is not a new phenomena. However the use of light weight panels, hung from structural frames, providing a void between the original building envelope and the additional cladding is a more recent trend.

Some of these attractively decorated, light-weight panels are constructed of innovative combinations of materials.

Such cladding systems fall within the remit of the Building Regulations. Despite a variety of material tests and alternative solutions that are used to illustrate compliance, including specific guidance in Approved Document B Volume II Clause 12.7, there was much confusion over the appropriate use of these materials.

Tests subsequent to the fire at Grenfell Tower have shown that some of the innovative, light-weight panels used on existing buildings do not meet the current standards of the Building Regulations.

Three blocks of purpose built tall flats erected circa 1965 in Mixenden, known as Mixenden Court, Wheatley Court and Jumps Court, were subject to works undertaken by Pennine Housing 2000, in a partnership scheme with Calderdale Council to improve energy efficiency of a number of properties, to install insulated render and rain screen cladding externally, as part of an estate wide initiative in 2012 to improve the thermal efficiency, weather resistance and visual appeal of a number of low rise dwellings together with the three high rise tower blocks.

The works were subject to a Planning permission granted under 12/00163, together with a Building Regulation application Passed under 12/90209. During the construction nine site visits were undertaken by Building Control.

In relation to compliance, it is the responsibility of the building owner, their Architect and Contractor to ensure that the work they undertake complies with the Building Regulations, whilst it is the role of the Building Control Body to support the owner or developer and their team to ensure compliance.

A Building Regulation Completion Certificate was issued on 06.01.15, certifying that the building work relating to the installation of insulated render and rain screen system to 3no high rise properties was inspected and insofar as the authority was able to ascertain, the requirements of the Building Regulations were satisfied.

4. Planning

a. Background

Building regulations are distinct from planning permission; they control how buildings are to be designed or modified while planning permission is concerned with appropriate development, the nature of land usage, and the appearance of neighbourhoods. Therefore, both must be considered when building works are to be undertaken

Planning permission can also be required if there is a change of use from one particular type of residential accommodation to another. e.g. where a single house is converted to flats or bedsit (non self-contained) accommodation. Planning permission is automatically required where a building is sub-divided into more than one self-contained unit. Likewise, if a large flat were to be sub-divided into two separate flats then, again, planning permission must be obtained. Sub-divisions of this kind are automatically treated as a material change of use.

b. Regulatory responsibilities

i. Permitted development rights

Permitted development rights are a national scheme for planning permission which allows certain works and changes of building use to be carried out without the need to apply for planning permission (or with prior approval of the local authority only).

In England, unless an Article 4 Direction (a statement made under the Town and Country Planning Acts removing all or some of the permitted development rights on site) is in force a change of use from Use Class C4 (a small HMO) to a single house with up to six residents (Use Class C3) is covered by permitted development rights. Likewise, if a flat which is treated as a single flat for planning purposes is changed over to a small flat in multiple occupation with up to six residents (Use Class C4) permitted development rights authorise this, unless an Article 4 Direction is in force. The reverse also applies where use changes in the case of a house or flat which is a small HMO to use as a single house or flat within Use Class C3. Local authorities can make Article 4 Directions taking permitted developments away in which case express planning permission has to be applied for.

In 2013, the government added a temporary clause into the rules relating to permitted development rights, to run until May 2016, which allowed conversion of office space into residential use subject to an application for prior approval covering aspects such as highways and noise. In April 2016 following changes to statute this provision became permanent.

Other changes include allowing residential conversion of premises which have been in light industrial use (the rights will run for an initial 3-year period from 1 October 2017) and adding launderettes to the types of building which can be converted to residential use under permitted development rights.

Although building regulation approval may still need to be sought concern has been raised that the Council's powers to oversee the safety of new building development including conversions of office blocks into flats have been removed.

2. Fire Safety: Calderdale Current Position

1. High Rise over 18 metres

Table showing the 'Lead Authority' for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
Self-contained flats (whether purpose built or converted), including high rise stock and converted mills	Calderdale MBC	Housing Act 2004 HHSRS
Common parts of HMOs, self-contained flats (whether purpose built or converted) including high rise stock and converted mills	Dual enforcement regime: Calderdale MBC or West Yorkshire Fire and Rescue Service	Housing Act 2004 HHSRS Regulatory Reform (Fire Safety) Order 2005 (FSO) <i>The order will not apply to some HMOs which are occupied as 'shared houses'</i>

a. Background

High-rise buildings are built to contain fires (flame and smoke) that start in the compartment where they begin - with fire-resistant materials from steel and concrete to resistant coatings and insulation supporting this.

The mantra of high-rise fire protection is compartmentation, protection, suppression, and evacuation, in that order. Looking at each in turn:

i. Compartmentation

Compartmentation is set up between flats (and created between flats and communal areas and service rooms), meaning there is wall separation between adjoining accommodations, which prevents fire-spread from one flat to another. Compartmentation requires a higher standard of fire resistance than that normally considered necessary simply to protect the escape routes. This is to ensure that a fire should be contained within the flat of fire origin. Accordingly, those in flats remote from the fire are safe to stay where they are. This is the essence of the 'stay put' principle

Alterations to these systems can greatly compromise their ability to resist the spread of fire. Where building integrity is compromised, particularly where cladding is present, if a fire in a single unit spreads through gaps created by the installation of pipework etc. or out through a window to the panels, this can act as a highway to other floors, the gap between the panels and the building acting as a flue.

ii. Fire Protection

Having a fire-safe home/residence is crucial to the safety of the occupants. Fire alarms, an escape plan and a fire extinguisher all provide a level of fire protection. The level of fire protection will be determined by the nature of the building and cost associated.

Purpose-built blocks of flats are not normally provided with communal fire detection and alarm systems. This is due to the adoption of the 'stay put' policy and other measures, therefore to have a communal fire alarm sounding may cause confusion to residents. Smoke detection within each flat is necessary and a requirement to ensure early warning so that residents can evacuate safely from their flat in the event of a fire.

iii. Suppression Systems

Combined with a sound compartmentation arrangement, a sprinkler system is one of the most effective suppression tools available to prevent the spread of fire in tall buildings; if you have a reported fire in your home, the risk of dying decreases by about 80% when sprinklers are present, a working smoke alarm only cuts the chances in half. (<http://www.firesprinklerinitiative.org/advocacy-tools/fact-sheets/myths-vs-facts.aspx>).

Fire sprinklers can:

- Protect those people who are in the room of origin of the fire (whereas conventional fire protection tends to focus on enabling persons elsewhere in the building to escape)
- Deal with fires when they are small and more easily controllable
- Limit the production of smoke and fumes
- Drastically reduce the damage caused by a fire and therefore minimise the disruption and time taken to achieve business continuity and negate the need for re-housing. According to the British Automatic Fire Sprinkler Association, losses from fires in buildings protected with sprinklers are estimated to be 1/10 of those in unprotected buildings. In buildings fully protected by sprinklers 99% of fires were controlled by sprinklers alone.

The foundation of achieving satisfactory sprinkler performance is ensuring that the system is adequate for the level of hazard, that there is sufficient water supply and pressure and that there is regular inspection, testing and maintenance of the sprinkler system. Failure to do this could lead to:

- A legionella risk
- Issues with compartmentation if incorrectly installed

- Obstruction to water distribution/ water shut off
- System not being adequate for level of hazard in occupancy
- Inadequate water supply/pressure dependent on the system
- Increase in costs for maintenance/servicing
- Access issues
- Risk of activations through misuse /vandalism.

Regulations in England mean that only buildings constructed since 2007 and which are taller than 30m are required to have sprinklers fitted. Existing high-rises in England must have them fitted if a fundamental change is made to the structure or use of the building.

These regulations are the same in Northern Ireland. In Scotland all new residential buildings taller than 18m must be fitted with sprinklers. In Wales since last year, all new and refurbished residential accommodation must have sprinklers.

As yet nowhere in the UK is it a requirement to retroactively fit sprinklers in existing buildings despite the following coroners' recommendations:

2010 Shirley Towers, Southampton (two firefighters died)

"Social housing providers should be encouraged to consider the retrofitting of sprinklers in all existing high-rise buildings in excess of 30 metres in height."

2009 Lakanal House, South London (six people died)

"It is recommended that [the Department for Communities and Local Government] encourage providers of housing in high-rise residential buildings containing multiple domestic premises to consider the retrofitting of sprinkler systems."

In 2015, Keith Brooks, a spokesman for the Chief Fire Officers Association said that

'nobody had ever died in a fire in the UK in a property with a properly installed sprinkler system working the way it's meant to'

<https://www.insidehousing.co.uk/home/home/investigation-shows-lack-of-sprinklers-in-tower-block-homes-44194>).

In a recent interview on BBC Breakfast on 13 September 2017, Dany Cotton, Commissioner of London Fire Brigade, also supported the retrofitting of sprinklers. She recommended that this should be mandatory requirement for high rise and

schools. Reflecting on previous recommendations not being followed through she stated

‘this time it must be acted upon’

In the same BBC Breakfast programme Terry McDermott – National Fire Chiefs Council commented that:

‘sprinklers are not the answer they are part of the solution along with building regulations, however, they were the effective way of suppressing or extinguishing before fire apparatus arrives.’

In relation to retrofitting he stated that this was

‘Something that must happen (not an option) to protect people in the future’

‘The difference between new build and retrofitting is cost’

‘From research into real fires in purpose built flats - sprinklers have been 100% effective’.

Nationally there continues to be an on-going debate about sprinklers. As well as sprinklers there are a range of other fire suppression systems / measures that could also be introduced into high rise/multi-storey residential accommodation.

The government has said it will consider help “where works are essential”, but has so far resisted bids for support to retrofit sprinklers in towers.

Although a small number of landlords have confirmed that they will fit sprinklers (including Birmingham City Council and Croydon Council), many landlords are awaiting the outcome of the review of building regulations before carrying out any significant works to their blocks.

iv. Evacuation

Where fire resistant construction is/has been breached, it is possible that fire may spread within a block, in which case, full evacuation may be necessary and is usually instigated by the Fire Service.

In the event of such a fire the time to escape will depend on a number of factors:

- How quickly the fire is detected

- The number of escape routes available
- Nature, location and capability of the occupants
- Speed of fire growth – dependent on the age and construction of the premises

Residential buildings present completely different characteristics than commercial buildings from both a design perspective as well as the characteristics of the people who occupy them. In residential properties occupants may be asleep, not dressed, etc. thus causing a long delay in the start of the evacuation. Further occupants who are emotionally tied to their home and its contents may be more reluctant to leave their own property. In relation to flats, information spread may take longer where fire alarm systems do not sound

Engineers, architects, and the people who write building codes are still experimenting with how to best merge streams of people descending stairs with people entering the stairwell from a floor. First responders coming up while people are going down, complicates the dynamics even further.

The Fire and Rescue Service's role in fire evacuation is that of ensuring that the means of escape in case of fire and associated fire safety measures provided for **all** people who may be in a building are both adequate and reasonable, taking into account the circumstances of each particular case.

Under current fire safety legislation it is the responsibility of the person(s) having responsibility for the building to provide a fire safety risk assessment that includes an emergency evacuation plan for all people likely to be in the premises, including disabled people, and how that plan will be implemented.

Such an evacuation plan should not rely upon the intervention of the Fire and Rescue Service to make it work. In the case of multi-occupancy buildings, responsibility may rest with a number of persons for each occupying organisation and with the owners of the building. It is important that they co-operate and co-ordinate evacuation plans with each other. This could present a particular problem in multi-occupancy buildings when the different escape plans and strategies need to be co-ordinated from a central point.

The safe evacuation of disabled people is a problematic area for policy makers and one that has not received sufficient attention to date. It is important that both building managers and disabled people understand that planning for means of escape is about planning for exceptional circumstances (i.e. not an everyday event). In 2009-2010, of over 8,000 fires in these blocks, only 22 fires necessitated evacuation of more than five people with the assistance of the fire and rescue service.

In total there are 41 high rise buildings over six storeys within the Calderdale district, 16 of these belong to Together Housing Group (THG). THG have identified persons who would need support in the event of an evacuation.

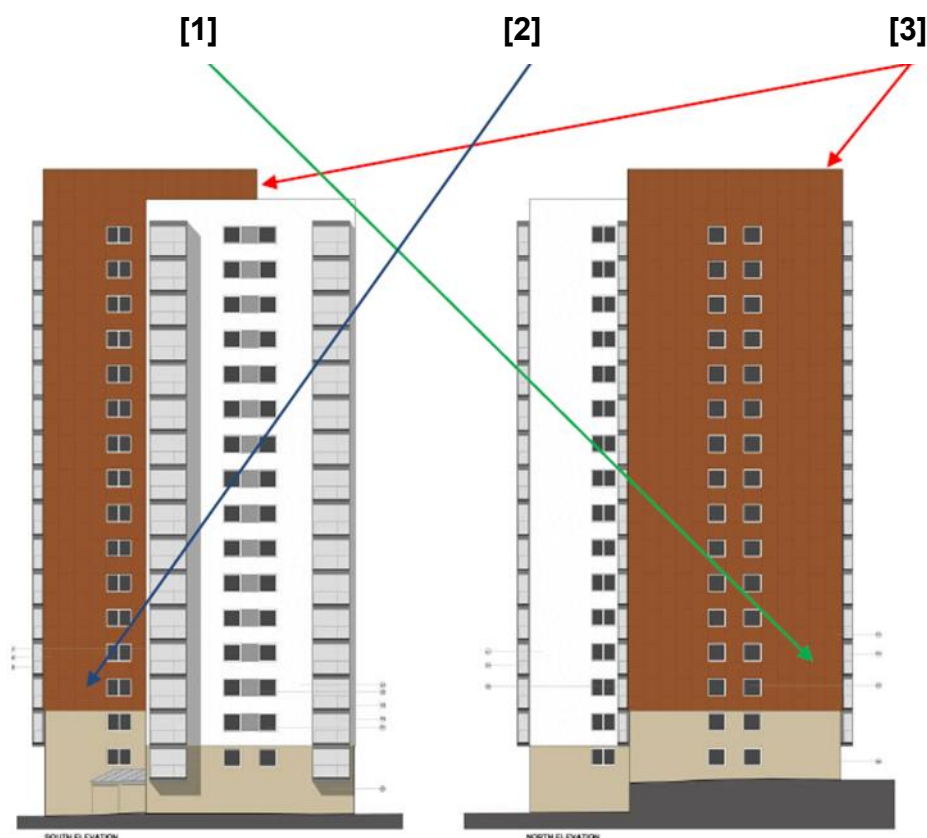
b. Together Housing Group Tower Blocks

The Council transferred its Housing Stock in 2001 to Pennine Housing 2000 (now Together Housing Group). This transfer included the multi storey flats.

Residential Scheme name	Address 1	Town	Post code	Date Built	No. of flats (1232)	No of storeys	Fitted with Panels
Akroyd Court	Haley Hill	Halifax	HX3 6DG	1968	85	15	
Albion Court	St Albion Street	Halifax	HX1 1YN	1964	85	15	
Castlegate House	Huddersfield Road	Elland	HX5 0RN	1970	32	9	
Church House	Church Street	Elland	HX5 0BU	1969	32	8	
Haley Court	Haley Hill	Halifax	HX3 6DE	1968	85	15	
Houghton Towers	Sowerby Bridge	Halifax	HX6 2QR	1967	87	15	
Jumples Court	Lower Mixenden	Halifax	HX2 8NS	1965	96	16	Yes
Ladstone Towers	Sowerby Bridge	Halifax	HX6 QW	1967	87	15	
Lister Court		Halifax	HX1 5DR	1972	90	16	
Mixenden Court	Lower Mixenden	Halifax	HX2 8QH	1965	96	16	Yes
Range Court	Haley Hill	Halifax	HX3 6DH	1968	85	15	
Shaw Lodge		Halifax	HX1 2NA	1970	85	18	
St James Court		Halifax	HX1 1YP	1964	67	11	
Talbot House	Brooksbank Street	Elland	HX5 0DL	1973	64	8	
Towngate House		Elland	HX5 0DN	1973	60	8	
Wheatley Court	Lower Mixenden	Halifax	HX2 8QL	1965	96	16	Yes

Of the 16 high rise blocks , three blocks have been partially clad with panels that have been classed as having “no flame retardant properties” (as defined by The British Research Establishment – also referred to as “*Category 3*”). Samples of the cladding from the buildings were taken for testing on 27th June 2017 and subsequently failed the cladding test.

This cladding is not the same design or type used on Grenfell Tower. Fortunately, the cladding has been restricted to [1] approx 60% of a single elevation, [2] approx 30% of a second elevation and [3] a feature band at the top of each block. This feature band coincides with the original parapet wall as illustrated below.



Works to remove the failed cladding and insulation started in September 2017 with residents in situ (a third of flats in the blocks are currently void). The work is to be carried out on a block by block basis starting with Mixenden Court, Jumpsles Court and finally Wheatley Court. THG are working with their independent advisor Trident to agree a suitable replacement for the ACM cladding which is being removed. DCLG have commissioned BRE to undertake a number of fire safety tests on building systems (the combination of cladding, insulation and fixing systems) and it is important that the agreed replacement meets safety requirements. The replacement should be known by November 2017 at the earliest.

The removal of materials may reduce the thermal protection of dwellings directly affected by the cladding removal, and the comfort of the dwellings within for the period when the external envelope is removed. A dedicated Tenant Liaison Officer (TLO) has been identified to support tenants throughout the period of the removal work. The identity of the TLO have been communicated to all residents and ongoing communications about the project take place on a regular basis, consisting of a newsletter to all affected tenants most weeks.

THG have worked closely with WYFRS to develop an Action Plan (for the three tower blocks at Mixenden). This Action Plan has mitigated potential risks, actions include:

i. Review of Fire Assessments

Fire safety risk assessments are carried out in line with legislative requirements with the outcomes prioritised and included in an annual programme of works. Following Grenfell all existing THG fire risk assessments have been reviewed and any outstanding actions have now been completed regardless of priority. Tests have been carried out between compartments to check fire integrity (pipes etc. via kitchens in flats and other parts of the building). Future fire assessments will continue to look beyond the communal areas. Two additional THG staff have been drafted in to support fire safety work and an independent consultant, Trident, has been taken on to check THG tests and provide advice re removal of cladding and insulation and an alternative replacement.

ii. Making Safe

All flats are designed with at least 30 minutes' resistance from fire or smoke, which means if a fire breaks out elsewhere in the building residents would be safe in their home for at least half an hour. THG has attempted to access to all flats, so as to check the operation of the [1] flat entrance door (do they close tightly into its frame) and [2] smoke detectors. This has included a minimum of three attempts to access all flats. Following Grenfell the demand for fire doors etc. has increased across the country which has meant that the delivery time has increased significantly from 4-6 weeks to around 12 weeks. Where front doors have failed assessment THG will replace with temporary fire doors until a composite fire door can be supplied.

iii. Electrical Testing

Work to undertake electrical safety checks to flats have started. Traditionally, THG would complete electrical checks every 10 years however this work has been brought forward to ensure electrical wiring, sockets, switches, fuse board and smoke detectors fitted in the flats is safe. The checks principally focus on the electric mains. Tenants have also been consistently reminded not to use faulty electrical appliances, or to overload their electrical systems.

iv. Additional Onsite Patrols

The numbers of in block walk-about by on site concierge at Mixenden has been increased to at least 3 per day. Mixenden has 24hr Concierge and CCTV is in situ. THG is actively addressing rubbish being left by tenants in corridors and stairwells. Residents have been advised to help manage this situation and ensure that rubbish is disposed of using chutes which are located on every floor level. All communal areas have been cleared of combustible storage.

v. Resident Vulnerability Enquiry

Previously information gathered by THG has focused on the primary tenant, this has now been reviewed. A questionnaire has been developed and resident vulnerability list/ database is being developed which will show residents who feel confident to be able to self-evacuate/ negotiate the stairs on their own and those who don't. The questionnaire also asks if anyone in the household has an oxygen cylinder and where it is located. 700 resident responses (from a total 1,500 units across the THG stock) have been received in relation to household information and understanding access and support needs of residents. Analysis of this data has been completed and now made readily available to WYTFRS in compliance with data protection guidelines. CMBC social care contact details have also been shared with THG for signposting as appropriate. The social care team may be best place to offer support if necessary.

vi. Resident Engagement

Following an initial letter to tenants of the affected buildings on 28th June 2017, all Together Housing tenants within high rise blocks in Calderdale have been invited to meet key staff. At these meetings, residents were informed as to what action had been taken to date and what action they were intending to take. Residents have been advised that updates are available via the THG website. These resident meetings have taken place at different sites with briefings developed specific to each tower block. In some of the blocks attendance hasn't been excessive and questions raised by tenants have now turned to other non-fire related queries. These meetings were also attended by THG teams representing Repairs, Compliance and Housing Management Teams. In a small number of cases local elected ward members also attended including the Council Leader. The general feedback has again been very supportive. Residents readily acknowledged and appreciated all the improvements that had been undertaken to improve fire safety (see Appendix 2).

At the three tower blocks located at Mixenden, there has been extensive consultation. During the initial period following the failed cladding test result, residents were provided with weekly updates. The frequency of these has now reduced and updates are distributed to coincide with major events. In addition there have been a number of drop in sessions for the tenants at Mixenden flats, (five took place in the first two weeks) and while attendance for the early sessions saw up to 20 residents attend, this soon dropped off. The MP for Halifax Holly Lynch also attended one of the drop in sessions at Mixenden.

vii. Raising Awareness of Fire Safety

In relation to concerns raised by residents, THG confirm that some common feedback is concern that neighbours may be suspected hoarders and the issues that surround this in respect of fire safety. The reports of hoarding have been reported to

WYFRS and a home visit undertaken. Another issue includes an unawareness of the number of fire alarms within a tenant's property, for example where residents do not realise they have two fire alarms testing is often not being carried out on both alarms. THG advice that covering all aspects of fire safety information, such as where alarms are located as part of a resident's induction, is not always successful as tenants do not take in all the information given to them in one appointment and therefore this can be ineffective. THG are working with WYFRS to produce a number of short videos addressing the key points about fire safety. Areas proposed to be covered include:

1. Smoke Alarms
2. Electrical Appliances
3. Keep Communal Areas Clear
4. Fire Doors
5. Stay Put
6. Smoking

In terms of **Fire Safety Compliance regimes** for all high rise blocks of flats, THG confirm they undertake the following:

- a) An annual gas safety check to all gas burning appliances that are owned by THA. Additionally a visual check only is undertaken to all privately owned gas installations
- b) An annual Fire Risk Assessment. All resulting tasks are prioritised and then tracked through to completion.
- c) All tower blocks are fitted with dry risers and emergency lighting, these are serviced every 6 months.
- d) The installation of fire alarms in all tower blocks has not been identified as a requirement from fire risk assessments. Where fitted (see below), fire alarms are serviced every six month.

Scheme Name	Fire Alarm	Fire Alarm Coverage	Fire Alarm Monitored	Emergency Lighting	Dry Riser	Automatic Vents
Akroyd Court	No	N/A	N/A	Yes	Yes	No
Albion Court	No	N/A	N/A	Yes	Yes	No
Castlegate House	Yes	High Risk Areas	No	Yes	Yes	Yes
Church House	Yes	High Risk Areas	No	Yes	Yes	Yes
Haley Court	No	N/A	N/A	Yes	Yes	No
Houghton Towers	No	N/A	N/A	Yes	Yes	No

Jumples Court	Yes	All Areas	Yes	Yes	Yes	Yes
Ladstone Towers	No	N/A	N/A	Yes	Yes	No
Lister Court	Yes	Full coverage landing areas	Yes	Yes	Yes	No
Mixenden Court	Yes	All areas	Yes	Yes	Yes	Yes
Range Court	No	N/A	N/A	Yes	Yes	No
Shaw Lodge	No	N/A	N/A	Yes	Yes	No
St James Court	No	N/A	N/A	Yes	Yes	No
Talbot House	Yes	High Risk Areas	No	Yes	Yes	No
Towngate House	Yes	High Risk Areas	No	Yes	Yes	No
Wheatley Court	Yes	All areas	Yes	Yes	Yes	Yes

- e) Where fitted, automatic vents are serviced every year (see table above)
- f) Means of escape are kept clean and clutter free (restricted to communal areas only) through good housekeeping and an active sterile communal area policy approach
- g) Appropriate fire signage is displayed throughout the building
- h) A “STAY PUT” policy approach is promoted
- i) Electrical periodic safety checks are undertaken to flats every time a property is re-let and at least once every ten years
- j) Electrical periodic checks are undertaken to the communal areas at least once every five years (sooner if deemed necessary)
- k) THG is a formal partner with WYFRS (WYFRS are THA’s nominated “Primary Authority”) and actively seeks, considers and promotes items of good working practice
- l) THG is a founding member of a peer group (made up of a collective of like-minded housing providers) which shares practice on all issues relating to Compliance related work
- m) THG keeps an up to date list of residents who feel that they are not able to “self- evacuate
- n) Additionally the Mobile Response Team/Concierge/Caretaker undertake the following tasks:
 - weekly testing of the fire alarm
 - monthly testing of the emergency lights
 - regular (currently three times every day) communal area inspections (including the removal of rubbish).

None of the 16 tower blocks have sprinkler systems. THG has advised that this is currently under discussion and that what happens nationally may influence this decision. THG are active members of the Greater Manchester Technical Fire Safety Review which includes detailed consideration of sprinklers and fire safety measures, and THG also recently met with DCLG at a round table event in London to review progress nationally and update DCLG as to how RSLs are responding to the situation. It is recognised that the current review of Building Regulations which is underway may reach some conclusions as to remedial actions, and with an interim report in November 2017 (the final report is due to conclude by Spring 2018) most landlords are awaiting the results of this review before reacting to the call for sprinkler systems.

viii. West Yorkshire Fire and Rescue Service Response

1. WYFRS Site Assessment

An operational crew has visited the three high rise blocks at Mixenden and looked at access for high reach appliances, cladding issues, fire alarm system, concierge base, hydrants and where electrics are located. An operational plan has been produced and shared with other crews that may perceivably attend a fire in the area. This information can be accessed via mobile data devices.

2. Increase in level of Responders

Following Grenfell WYFRS decided to increase the level of fire responders (from six to eight fire appliances, including two high reach appliances, 55 fire fighters) to any call out to tower blocks. WYFRS suspected that following the Grenfell fire people may have chosen to self-evacuate rather than follow the advice to Stay Put. The heightened response to high rise in Calderdale has now been scaled back to the normal high rise response on all but the three of blocks in Mixenden. WYFRS continue to promote the stay put policy.

3. Review and Publicity of High Rise Guidance

WYFRS has reviewed its guidance on high rise fire prevention and publicised this via its PR department across districts. In relation to Calderdale the last flat fire in a tower block was in Mixenden in Oct 2016.

4. Engagement with landlords

Following a number of recent domestic fires in Calderdale, a landlord meeting was already in the process of being set up by WYFRS. The event will specifically cover fire safety in HMO's.

5. Partnership Response

WYFRS believe that Calderdale is doing at least as well as other LA's in West Yorkshire, if not better. WYFRS has informed the Council that they have real confidence in the Together Housing Group response and are very supportive of their approach. The District Commander – has assurance that interim arrangements are adequate and has no concerns.

b. Unoccupied High Rise Tower Blocks

i. Beech Hill (also known as Crib Lane Flats)

Beech Hill is a mixed use area just to the north of Halifax town centre that comprises a number of low rise properties and three vacant tower blocks (321 residential units owned by Together Housing Group). The multi- storey blocks are vacant, and the surrounding environment is neglected and in poor condition. The site also includes the vacant Martins Mill, which has planning consent for 50 apartments. Beech Hill is a major regeneration priority for the Council and Together Housing and they are the key partners on the Beech Hill Project Board. The Board is developing proposals to seek to transform the area and create a new and attractive living environment to meet the needs of the local community, through redevelopment and /or refurbishment and environmental improvement. Recent progress has been very encouraging and it is hoped that work on site will start during 2018, as part of the broader Calderdale Together Housing Investment Partnership.

ii. Dodge Holme Court

There is only one high rise block of flats, Dodgeholme Court in Mixenden, in private ownership. It is currently being renovated by its owner and will have 104 flats available for private rent. It has no external wall insulation or cladding. Officers from Environmental Health and Building Control have visited the property and discussed the programme of works with the developer. A sprinkler system (cost approx. £1,000 per flat) and fire detection equipment is being installed as part of the first fix of its refurbishment. The property is now being rewired and plastered and is expected to be available for occupation from later in 2017 / early 2018 once the work has been completed.

2. Converted Mills

Table showing the 'Lead Authority for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
Self-contained flats (whether purpose built or converted), including high rise stock and converted mills	Calderdale MBC	Housing Act 2004 HHSRS
Common parts of HMOs, self-contained flats (whether purpose built or converted) including high rise stock and converted mills	Dual enforcement regime: Calderdale MBC or West Yorkshire Fire and Rescue Service	Housing Act 2004 HHSRS Regulatory Reform (Fire Safety) Order 2005 (FSO) <i>The order will not apply to some HMOs which are occupied as 'shared houses'</i>

Although many of Calderdale's iconic mills are now either vacant or underused, some have been converted into places to work, live and socialise a prime example of this being Dean Clough.

Mapping the current profile of mills in Calderdale is a challenge as there no single place that comprehensive data is stored. Data does exist in areas but this is specific to enquiry, or advice given, and often this data is lost in records and systems. This is similar to the enquiry about cladding - there isn't a single button that you can press to run off the information. The following table was put together from an on-line source, it gives an idea of the spread of mills across the borough but comes with a caveat that it may not necessary be an exact/accurate picture - some mills may have been demolished over time.

Townships with industrial heritage in Calderdale		
Barkisland (6)	Midgley (7)	Southowram (6)
Clifton (4)	Northowram (13)	Sowerby (12)
Elland cum Greetland (39)	Ovenden (15)	Soyland (13)
Erringden (6)	Rastrick (6)	Stainland (8)
Halifax (36)	Rishworth (3)	Todmorden and Walsden (32)
Heptonstall (20)	Shelf (3)	Warley (17)
Hipperholme cum Brighouse (22)	Skircoat (12)	

Table showing the profile of mills across Calderdale (<http://yorkshire.u08.eu/list/>.)

In old mill buildings, a structure's rehabilitation and change of occupancy can present challenges for the fire service, some are listed below:

- The size of the buildings and potential fire load can overburden even the largest fire services resources
- Since these early mills relied heavily on water power, they were almost always built alongside rivers, obstructing access to at least one side of the building
- Century-old construction means that there may be situated in neighbourhoods with small water mains and narrow streets
- Originally, these buildings were usually constructed for and occupied by a single manufacturing company, however, now they may be subdivided into smaller units also creating voids which can pose tactical firefighting problems
- Often, the company that owns or manages the structure doesn't have a physical presence on-site, which can make finding a responsible party difficult
- Multi- use residential and commercial occupation can interfere with the fire services ability to force entry, stretch lines, find the fire, and operate safely.

There are a number of former mill premises across the Borough that have been converted into residential accommodation. These changes often constitute a change of use for Development Management (Planning Permission) and a Material Change of Use under Building Regulations.

The work associated with the Material Change of Use requires the adapted premises to comply with prescribed fire safety standards under Approved Document B 'Fire Safety' Volume II, 2013 Edition, including the fire isolation of each dwelling, together with provision of suitable means of escape in case of fire from each dwelling to a place of safety without the building.

As referenced earlier in the document the building owner or developer, their Architect, design team, agents and contractors are responsible for ensuring compliance with Building Regulations.

A Building Control Body (BCB) being either the local authority or a third party, private sector Approved Inspector is expected to undertake periodic inspections (or spot checks) of the work to ascertain that the works they see comply with the appropriate standards, but inevitably compliance can only be ensured by the competence and professionalism of the owner, designer and contracting team, who remain responsible for ensuring compliance. Once the development is complete there is no element of continuing control under Building Regulations.

Buildings less than 18 metres tall are not subject to the same requirements in terms of cladding.

On balance most buildings if constructed appropriately and which continue to be in use, maintaining appropriate standards should remain safe.

There is however some risk that where building owners and their agents do not act proactively to manage their assets and maintain the standards of fire safety, hazards may potentially develop due to abuse or misuse of the premises.

One particular difficulty may be where home owners have purchased their flat, the owner or management of the building may be unable to control activity within the flat. Likewise, the Fire and Rescue Authority have only limited responsibility for common areas in existing blocks of flats, leaving the only potential legislative control via Environmental Health.

WYFRS and the Council identify mill conversions and HMO's as there biggest area of concern due the level of risk they present, often because of the failure or potential failure of landlords to act.

The Council works closely with WYFRS on joint referral mechanisms such as Safe & Warm Homes to ensure residents at the greatest risk of fire are referred on for fire safety advice, fitted smoke alarms for qualifying households and signposted to smoking cessation services.

Safety may be enhanced by ensuring that the occupants of flats practice fire safety in their homes, are aware of the action to take in the event of a fire and understand how to evacuate from their home should it be necessary.

3. HMO's and Other Higher Risk Sectors

Table showing the 'Lead Authority' for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
House in Multiple Occupation (HMO) whether or not subject to mandatory, selective or additional licensing	Calderdale MBC	Housing Act 2004 HHSRS Licensing provisions for HMOs Management regulations for HMOs
Self-contained flats (whether purpose built or converted), including high rise stock and converted mills	Calderdale MBC	Housing Act 2004 HHSRS
Common parts of HMOs, self-contained flats (whether purpose built or converted) including high rise stock and converted mills	Dual enforcement regime: Calderdale MBC or West Yorkshire Fire and Rescue Service	Housing Act 2004 HHSRS Regulatory Reform (Fire Safety) Order 2005 (FSO) <i>The order will not apply to some HMOs which are occupied as 'shared houses'</i>

There are approximately 96,000 residential dwellings in Calderdale. Approximately 14,000 are in the social housing sector; 82,000 are in private ownership of which 16,000 – 18,000 are estimated to be in the private rented sector.

The private rented sector is a very diverse sector and accommodation can range from executive housing through to bedsits. Landlords can also be quite diverse, ranging from large property companies managing hundreds or even thousands of properties to a person renting out just one flat. According to the Chartered Institute of Housing 13 per cent of households in England rent their accommodation from a private landlord. The vast majority of private landlords only own one or two properties.

Although tenants do include wealthy professionals, the private rented sector has become increasingly important in providing housing for some of the more vulnerable and lower income households in the community who are unable to, or prefer not to, rent from a registered social housing provider.

The private rented sector has grown substantially over the last 10 years and now surpasses the social housing sector which consists of an estimated 14,000 properties.

Under the Housing Act 2004, fire is identified as one of the 29 hazards in the Housing Health & Safety Rating System (HHSRS). This system of risk assessment allows for the likelihood of an event, and severity of a harm outcome for a home's occupants to be measured. Risks which could result in death or severe harm are known as 'category one' hazards and should be addressed.

Greatest Risk

- Older Properties without escape windows - The risk of harm from fire and smoke inhalation tends to be higher in older properties without escape windows
- Residential terraced properties that were built 'back to back' which only have one entry / exit point on the ground floor - There are an estimated 6000-7000 back to back terraced properties in Calderdale which are nearly all in private ownership
- Houses in Multiple Occupation.

In relation to point one above, older buildings may also comprise different construction materials from newer buildings, and may be in a poorer state of repair. The building construction materials and the quality of building work and state of repair could contribute to the speed with which any fire may spread, and potentially affect the escape routes the occupants will need to use. A fire starting in a building constructed mainly from combustible material will spread faster than one where fire-resisting construction materials have been used.

Calderdale MP Holly Lynch has brought the compliance issue of private landlords to WYFRS directly, however in terms of dealing with problem properties under the Housing Act 2004 the Council is the enforcement body.

In relation to fire safety, within the Council and particularly within environmental health there are some resource issues where the department is currently low on numbers of qualified staff which is of concern. Although the service has 25 full time equivalent (FTE) posts only 20 (FTE) are currently filled. Currently one officer in each area is supporting specific work which provides little resilience. Capacity issues are challenging but the service continues to respond the best it can.

Over time, Environmental Health Officers have lost key specialisms as service areas have become more generic to accommodate legislative and organisational shifts. This change and the fact that the salary range is not as competitive as other areas has contributed to challenges in recruiting and retaining staff (see below).

Table showing rates of Environmental Health Officer pay as of July 2017.

Local Authority	Starting Salary	Top of Salary Scale
Bradford	£25,951	£33,437
Calderdale	£25,951	£31,601
Kirklees	£29,323	£31,601
Leeds	£28,203	£29,854
Wakefield	£26,822	£29,323

Nationally there is also a shortage of professionals which has meant that councils are competing for the same people.

Calderdale Council has been granted some external funding to support work to mitigate the impact of migration. The successful bid allowed for a new housing and an environmental health post to be recruited for the period of funding with a particular focus on the issue of HMO's situated in HX1. Unfortunately a recent round of recruitment to the environmental health post has been unsuccessful.

Some staff are now being trained up in areas reflecting need. Currently five members of staff have undertaken HHSRS training to qualify them to undertake hazard rating inspections. These staff members however continue to work generically across the borough, as the need dictates, supporting wider public health work-streams including drainage, nuisance, noise pollution etc.

The following table shows the number of notices/ action taken by the service over the last three years. The data is difficult to break down into different hazard categories, without going back through each individual record, so it is unclear how many times fire safety presented as an issue. Over the three year period no prosecutions have

been brought against landlords due to the fact that where work has not been carried out by the landlord the Council is able to undertake the work and place a charge on the property.

	2014/15	2015/2016	2016/2017
All Housing complaints for single let conditions/disrepair	310	365	269
HMO conditions/disrepair	26	18	17
Housing Notices Served	12	11	4

a. Houses in Multiple Occupation (HMOs)

HMOs are properties occupied by non-related occupants who have their own bedroom accommodation, but share bathroom and kitchen facilities. They are rented by out by 3 or more people who are not from the same household / family.

As referenced earlier in the report, a licence is required to be able to rent out a large HMO. A property is defined as a large HMO if **all** of the following apply:

- it's rented to 5 or more people who form more than 1 household
- it's at least 3 storeys high
- tenants share toilet, bathroom or kitchen facilities

Some of these elements are under national review currently. There are 51 known licensable Houses in Multiple Occupation (HMO) in the private rented sector in Calderdale. To comply with the HMO license requirements, these properties have to meet more stringent requirements in terms of fire and heat detection and alarm systems compared to properties which are singly let.

Data and modelling carried out through the Stock Condition and Health Impact Assessment carried out for Calderdale Council by the Building Research Establishment (BRE) in 2015-6 suggests that there are a further 1400 which do not require a HMO license but still carry a higher risk because of the nature of the mixed occupation and shared facilities.

Engaging landlords in the private rented sector can be challenging for a number of reasons:

- Property ownership and tenure can change frequently through property disposal, or inheritance
- The majority of landlords are simply unaware of their requirements and fail to comply with them mainly due to ignorance
- Tenants are often reluctant to complain through fear of retaliatory eviction by the landlord.

- There is generally resistance in the sector against the growing support for greater (and focused) regulation and action against landlords who fail to comply with the standards required.

Another challenge, like mill conversions is that presently there is no known data set which easily captures and monitors the tenure of residential property, although it may be possible to do so via the Council Tax system when there is a change in bill payer.

The following information gives a crude overview of the number of HMOs in Calderdale as at 16 August 2017. The number of licensed premises is an evolving picture as licenses are renewed on a 5year cycle and property and landlord circumstances change over time. The Licensing system also relies on landlords contacting the Council, some may be aware of the scheme, others may choose to actively fall under the radar. There is a cost for a license and specific housing standards have to be met before a license is issued.

Type	Number
Licensed HMOs	51
Other HMO's	137 (this figure includes 21 potential licensed HMO's)

Corporately the Council has recognised that having a single Council spatial database system will help to better coordinate activities and share information as well as bringing about efficiencies and savings. The Council's Planning, Building Control, the Gazetteer and Land Charges all currently use IDOX spatial database system to support their areas of activity. Although included in the present contract Licensing and Environmental Health are yet to migrate to this system fully.

Environment Health data has been migrated into to the TEST phase, however the migration to Live, scheduled for February 2017 has now been put back to Jan/Feb 2018. Data can only be migrated into Live when the system is ready to be used and this is going to take a significant resource to achieve. Whilst some existing staff have gained a degree of knowledge during the migration work, a higher level expertise is required to fully implement and develop the system which the service currently doesn't have. If this isn't addressed it is unlikely Environmental Health with migrate to Live. Further development of the IDOX application within Council services will also require specialist IT staffing support and conversations are taking place between services areas to try to identify a solution to move this forward.

The Council deals reactively with any complaints regarding privately rented accommodation. On inspection an assessment is made under the HHSRS.

The Council also works closely with WYFRS. It has a protocol with WYFRS detailing the Council's responsibilities and those of the WYFRS.

As part of the licensing scheme the Council is committed to inspecting all houses in multiple occupation during the licence period. At present there is a programmed inspection regime and properties are prioritised in a risk based approach. A reactive measure also operates in response to complaints referrals regarding licensed properties and or licence holders and persons managing licence properties.

Presently the Council operates a Mandatory HMO Licensing Scheme, however, it also has powers to introduce selective licensing of privately rented homes in order to tackle problems in areas, caused by poor property conditions, high levels of migration and/or significant anti-social behaviour etc. Local residents, landlords and tenants (and any other person likely to be affected by the selective licensing designation) must be consulted prior to the introduction of a licensing scheme. Landlords who rent out properties in an area that is subject to selective licensing are required to obtain a licence from the local authority for each of their properties.

b. G4SProperty

The first named victim at Grenfell Tower was Mohammed Alhajali, a Syrian refugee with previous connections to Halifax.

The impact of what happened in Grenfell has resonated locally and specifically amongst newer communities settled in Calderdale. Mohammed Alhajali was known to St Augustine's Centre, an organisation whose significant client group includes those seeking asylum and refugees.

Since 2012 accommodation has been provided to asylum seekers in the UK via six regional *Commercial and Operational Managers Procuring Asylum Support Services* contracts, known as COMPASS. The COMPASS contract in North East England, Yorkshire and the Humber; Midlands and East of England is currently been delivered by G4S.

Under the terms of the contract dispersal accommodation can only be located in areas where the local authority has agreed to take asylum seekers, up to a defined "cluster limit" of no more than one asylum seeker per 200 residents of the total population. Calderdale is an agreed dispersal area as are the other West Yorkshire authorities.

In proposing properties providers like G4S must consider a range of social, housing and community cohesion factors and consult with the local authority. Local authorities have 72 hours to consider a request from a Provider and can withhold consent for properties to be used if they have specific concerns. If the local authority withholds consent to a specific property but has agreed to accept asylum accommodation in principle, then Providers can seek permission from the Home Office to override the local authority's objections (Home Office Affairs Committee).

The Council's Neighbourhoods and Cohesion Manager has been identified as the Lead Officer for engagement with G4S on behalf of the authority. She is notified of the profile of settlement and is consulted on property procurement and asylum dispersal more generally. Her team supports the local dispersal property consultation and keeps a database on known property.

Like other areas, procurement of property in Calderdale is where the property is in the main the cheapest. G4S has some multi-storey residential buildings suitable for multi—occupation but these tend to be low level builds and non are cladded as far as the Council is aware. Due to the short window of consultation and capacity of the Council's Environmental Health Team, professional opinion is sought from the Environmental Health Team about the suitability of proposed dispersal property (as well as other colleagues and organisations) but a visit is not made. This approach has recently been reviewed following concerns raised about a property in Halifax (see reference to third party report overleaf); G4S has agreed that CMBC Environmental Health can inspect all newly procured properties.

As at 28 June 2017, 110 properties were identified as potential dispersal properties in Calderdale. The properties ranged from single bedroom to four bedroom accommodation with nearly half being two bedroom. The majority, 82 properties, were identified as family accommodation, but this is subject to change.

People seeking asylum generally have a low awareness of their rights and entitlements, are afraid of the implications of a complaint and need support progressing action. The number of complaints or concerns raised locally relating to G4S property are low; where they have been raised these are generally through third party agencies or individuals visiting/supporting the resident(s) and are often direct with G4S with no involvement of the council.

Where concern about the quality of G4S accommodation is raised with the council, this is generally when people have moved in, the property would be visited by the Calderdale Environmental Health Team. Where the property is believed to be a house in multiple occupation and fire safety concerns have been raised this would be a joint visit with WYFRS.

A recent third party report to the council resulted in a joint environmental health and

WYFRS inspection being made to a G4S property in Halifax. The inspection revealed a number of housing hazards and fire safety concerns which are now being addressed. Fire concerns related to the layout of the individual units within the multi-storey build, fire protection systems and the evacuation of residents. Residents, who were mainly families and single parents with very young children, were advised not to over-load sockets and to keep the main escape route clear at the time of the visit. The front hallway was being used as a pram storage area by a number of the families, particularly those situated higher up the building. An external storage area has now been identified to address this issue longer term.

It was clear at the time of the inspection that the residents did not have English as their first language yet documents/instructions were only made available in English. Once a fire risk assessment has been produced, there is a requirement to inform all relevant persons, including tenants, of the steps to be taken should a fire occur. Every effort should be made to overcome potential problems in communicating this essential information to tenants, this could include the use of different media/pictorials or even a walk through the property to raise awareness.

A Home Affairs Committee Report published in January 2017 looks further at the issues facing people living in accommodation provided by G4S and other COMPASS Providers. It states:

‘that local authorities have a crucial role in the asylum system but their ability to influence standards seems to have been eroded since COMPASS contracts were introduced. Giving local authorities responsibility for inspection, monitoring compliance and imposing sanctions will increase their influence in the system to the benefit of those supported by it. They already have experience in property inspection and are likely to have a better knowledge of asylum properties in their areas than the Home Office, having already been consulted on their use.

(House of Commons Home Affairs Committee report: Asylum accommodation Twelfth Report of Session 2016–17 published Jan 2017)

The following recommendation is made within the report:

‘We recommend that the inspection duties currently carried out by the Home Office are transferred to local authorities, along with the necessary resources to carry out this function effectively’

c. Registered Providers (RP)

RPs are independent housing organisations set up to provide affordable homes for people in housing need. They vary in size from fewer than 10 homes to 1,000's. Most

of these homes are rented at affordable rates while a significant minority are sold through low-cost home ownership schemes. Some RP's also offer support for people with a range of needs including older people, people with disabilities and learning difficulties. RPs are regulated by the Homes and Communities Agency (HCA).

Following Grenfell the Department for Communities and Local Government and HCA have been working directly with RHPs to identify high rise cladded property.

The majority of RPs operating within Calderdale (see below) have responded to the review and confirmed that their fire risk assessments are up to date. Other than the three THG tower blocks in Mixenden, there are no other known RP high rise cladded properties in the borough (see Appendix 3 for individual RP position statements).

1. Accent Homes
2. Anchor Housing
3. Riverside
4. Hanover Housing
5. Horton Housing
6. Your Housing Group
7. Housing and Care 21
8. Stonewater Housing
9. Home Group
10. Places for People
11. Sanctuary Housing
12. Connect Housing
13. Together Housing Group
14. Yorkshire Housing
15. St Vincent's Housing Association

4. Nursing and Residential Accommodation

Table showing the 'Lead Authority' for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
Nursing and Residential Homes	West Yorkshire Fire and Rescue Service	FSO

The situation in the social care sector, older properties and the layout of these buildings can raise some issues as well as fire doors being held open. Particularly within nursing and care homes good or bad management can make all the difference in relation to fire risks and fire safety. All nursing home fire inspections are carried out by CQC.

The Council's third party commissioned residential care providers are managed by the contract team who provide updates on fire safety, an annual self-assessment audit which the health and safety team monitor.

Following Grenfell, the contract team contacted Care Homes and Supported Living Providers who are delivering a service to adults in 24 hour accommodation settings asking them to respond to a questionnaire which looked at fire safety arrangements in their areas of activity. The questionnaire asked questions relating to the service area, resident occupancy, build, fire protection and suppression systems, evacuation and management plans.

Below is an analysis of the information returned relating to fire protection and suppression systems.

i. Supported Living

Ten providers provide services across 47 different addresses with occupancy ranging from single units to 8 units. All have smoke detection and Personal Emergency Evacuation Plans in place (PEEPs). Fifteen have sprinkler suppression systems in place. Six of the responses included 4 storey builds, half of these have a sprinkler.

ii. Care Homes

There are 48 Care Home Providers in Calderdale comprising 52 units broken down as follows: 31 Residential, 10 Nursing, 7 Residential Elderly & Mentally Infirm (EMI e.g dementia care) and 4 Nursing EMI. From the responses received occupancy levels ranged from 4 residents to 106 residents. Buildings ranged from single storey (7) to five storey (2), the majority of buildings being two or three storeys. None of the buildings are cladded. All have PEEP's in place for residents and smoke detection. Seven of the buildings have sprinkler suppression systems, the seven does not include the five storey building or the one with the most residents.

In relation to Council build, the Council's only CMBC elderly residential property, Ferney Lee, has comprehensive fire precautions supplemented by automatic fire suppression. The Council's CAFM team have been focusing on fire and evacuation particularly at Ferney Lee care home and other sleeping accommodation.

Three separate fire safety events are being planned by CMBC for providers of residential and nursing care (for older people and adults with learning disabilities) and supported living providers to service users in a 24hrs accommodation environment (for adults with learning disabilities). The events will be held in November where there will be presentations from the fire service and officers will be working through the risk assessments with providers.

5. Other Bigger Public Use Premises

Table showing the 'Lead Authority' for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
Bigger Public Use Premises	West Yorkshire Fire and Rescue Service	FSO

Across the Borough there are a number of larger public buildings. Many of these are retail in nature. The risk profile of these type of premises, their use and the likely category of fire growth should be sufficient to enable safe and effective evacuation in a fire event.

Other public premises with significant occupancy include elements of the night time economy including bars, pubs, and clubs, where alcohol can have a debilitating effect on customers during a fire evacuation.

The owners of these premises already hold significant statutory responsibilities for managing and maintaining fire safe premises with suitable and sufficient fire precautions including fire risk assessments.

a. Stadia, Theatre and Library

Two of the larger premises in the Borough with significant occupancy are the Shay Stadium and Victoria Theatre with maximum occupancies of 10,400 and 1,995 respectively.

With respect to CMBC residential sleeping accommodation there is no cladding on the exterior of buildings which would increase risk. However there are two buildings in the corporate estate that will have their cladding reviewed but these two buildings the Shay Stadium and King Cross Library are not a concern and do not contain Aluminium Composite Materials .

The Shay Stadium as the largest building has an occupancy in excess of 10,000 people and is subject to additional rigour on fire safety and monitored very closely by the safety team and the Council's Building Control Manager who is coincidentally the Chair of the Shay Stadium Safety Advisory Group. The venue is also now managed by a fully qualified health and safety officer and former member of the Council's Health and Safety Team.

All Managers and delegated employees with fire safety responsibilities receive

training on fire safety and many staff access the additional e learning fire safety modules. The detail is recorded every year in the annual safety report.

Work with fire wardens, completing fire drills, testing alarms, “evac” chairs and training continues as normal. Extensive fire safety training records for the last 10 years are held by the Council’s Health and Safety Team.

Both these premises are managed to ensure they have specific operating practices in place to maintain safe and effective evacuation of significant numbers of occupants.

b. Education Establishments

A large proportion of Calderdale’s educational buildings are of Victorian origin; others were built in the middle of the last century. Many of these properties were built prior to the publication of recognised building standards such as the building regulations or the building bulletin suite of documents.

The potential risk of fire in schools has increased over recent years. This is due to the introduction of significant electrical equipment within classrooms, the increased use of man made fibres in outer garments stored within the premises, together with the threat of fire setting or deliberate ignition, even when the premises are occupied.

Under the Regulatory Reform (Fire Safety) Order 2005, schools are required to:

- maintain their buildings to ensure they are appropriate to protect from the cause and spread of fire
- have adequate fire precautions in place to allow the safe escape of occupants in case of fire
- conduct termly drills, so that pupils and staff are able to evacuate quickly in the case of fire.

Following the Grenfell fire, the Director of Capital at the Education and Skills Funding Agency wrote to Calderdale’s Director of Children’s Service on 23 June asking for a survey return to be submitted for each school that the council maintained by close of play on Friday 30 June.

The letter clarified that the council did not need to include details of Voluntary Aided schools or academies in their returns as the Chief Executives of academy trusts and Dioceses would be written to separately. Although there are larger secondary schools that fit the description these are Academy schools and therefore responded directly to the Education and Skills Funding Agency.

Calderdale Council is the responsible body for 44 community schools across the borough. Only one community school has a building of 4 storeys and above. Each of these schools is responsible for commissioning a fire risk assessment and ensuring

the actions identified are completed. All schools are responsible for reviewing the risk assessment on an annual basis. Schools conduct a weekly test and perform an organised full evacuation drill at least once every school term (three times a year).

The Council presently has a fire safety protocol with WYFRS relating to the safety of its Community Schools. The educational fire safety protocol and corporate fire safety concordat commit the authority to meet its legal obligations. The responsibilities under the educational fire safety protocol are the maintenance of its statutory duties including the provision of suitable and sufficient fire safety risk assessments for its premises, the sharing of information with WYFRS and an agreement to undertake a number of joint planned visits to school premises to ascertain the maintenance of appropriate fire safety standards.

It is the responsibility of the headteacher or other appointed competent person/s to carry out an annual Fire Safety Risk Assessment of their school premises, using the Council's Fire Safety risk assessment. Training courses are available from the Council's Health and Safety Section (supported by Building Control Services) to support the person undertaking the risk assessment.

The benefit of a member of the school personnel undertaking the Fire Safety risk assessment of their own premises is that they are able to use their knowledge of the school and how the premises are used together with knowledge of any hazards associated with the use of the school

The Council's Building Control Services is available to provide advice, guidance and information regarding fire safety issues and how to make schools more accessible and inclusive for people with disabilities.

Building Control Services have undertaken detailed surveys and made assessments of schools to identify any necessary fire precautions. Such matters are likely to involve a combination of both management procedures and responsibilities together with physical alterations to premises.

CMBC does not have control over academies within the Borough however it does have a duty to a number of primary schools and secondary school within the Council's corporate estate. A breakfast seminar was held on the 6th September for head teachers and fire safety was item on the agenda. The seminar was the first significant opportunity to engage with the school sector following the summer break.

As part of the government's determination to ensure young people's safety, further education colleges and universities across the country have also been contacted and asked to carry out building checks to identify those that might require further investigation. Calderdale College was contacted and responded. Although part of a building on its campus has cladding it has been checked and met relevant standards. The college doesn't have sprinklers. Fire assessments have been reviewed on a

more frequent basis over the last two years due to refurbishment taking place on site. The colleges Health and Management Team hold a monthly meeting where fire safety issues can be raised/discussed, the Estates Department have a student on the group which enables wider engagement and concerns to be raised. The regional Association of Colleges Health and Safety Forum, which the college is part of is meeting in October and Fire Procedures are a substantive agenda item.

c. NHS Premises

Hospitals are occupied by many vulnerable people who would require greater protection and assistance in the event of the fire; many NHS trusts and private hospitals have been examining their fire safety policies and how they carry out, in particular, fire risk assessments following Grenfell.

Locally, Calderdale and Huddersfield NHS Foundation Trust undertook an overall fire risk assessment of its premises on Monday 19 June 2017 detailing the location of their premises with partial cladding.

A local operational Fire and Rescue Team visited Huddersfield Royal Infirmary on Sunday 25 June 2017. Whilst this team is not responsible for technical fire safety they, and their Senior Fire Safety Officer, were assured with the level and competence of in-house fire safety advice and support provided by the Fire Manager and Authorising Engineer (as required under Health Technical Memorandum 05-01).

Fire safety continues to be managed through the controls and mitigation that the Trust has in place at Calderdale and Huddersfield NHS Foundation Trust.

6. CMBC Corporate Estate

Table showing the 'Lead Authority' for Fire Safety

Type of dwelling	Lead (Inspection and enforcement)	Regulatory Framework
Premises with mixed commercial and associated residential accommodation and sheltered housing	West Yorkshire Fire and Rescue Service	FSO
All multiple-occupied accommodation that is owned or managed by the Housing Authority	West Yorkshire Fire and Rescue Service	FSO

As stated earlier in the report, employers, like Calderdale Council have a legal duty to keep properties safe from fire. This means they have to ensure that there is a

comprehensive fire risk assessment for each of its buildings, including the common areas of multi-occupied buildings.

Under the Fire Safety Order the council has a statutory duty to have an identified person responsible for every building. The lead for Corporate Asset and Facilities Management (CAFM) holds the primary responsibility for the corporate estate. It is the Council's Policy that this responsibility is discharged by area facilities officers working in CAFM in association with the representatives of the occupying service.

All Council Services are expected to follow CMBC Guidance and documentation on Fire Safety.

The Strategy to implement this Fire Safety Policy is monitored by the Health and Safety Manager and reviewed at regular intervals.

The Council's Health and Safety Manager, Building Control Manager and the Lead for Facilities Management are working together to ensure that premises that make up the Corporate Estate are fully compliant with fire safety the fire risk assessments that are in place (See Appendices 4 and 5 for an update on progress).

An audit of premises is currently underway – this is a protracted process and will take some time.

A number of very small premises with limited occupancy and hazard have been discounted from the audit.

The audit has commenced with premises operated by CMBC and providing sleeping accommodation for vulnerable people.

Looking at the Council's estate, a number of key themes are developing, these are:

4. The lack of a dedicated resource to support CAFM and the wider Services with their duties and responsibilities for Fire Safety
5. A lack of funding to ensure that all corporate premises have and maintain high standards of appropriate fire precautions
6. An increasing awareness that we provide residential accommodation with varying degrees of care and supervision for vulnerable people, and that many of these people have complex needs that may lead them to struggle to make a safe, effective evacuation in the event of a fire. These risks may be mitigated by the retrofitting of automatic fire water suppression systems.

1. Dedicated Fire Safety Resource

Previously Building Control had a Fire Safety Team, this was lost due to a combination of promotions and retirements with a need to make savings. The impact

of Grenfell Tower has been to illustrate the need to maintain that capability, Due to the enormity of the task the Council's Building Control Manager is unable to service all the requests and work streams necessary to cover every aspect of the task.

Neighbouring authorities continue to have dedicated fire safety officers with this level of expertise supporting their large corporate estates.

A dedicated Fire Safety Surveyor Officer is now required to:

- Provide fire safety advice and guidance
- Support CAFM Area Facilities Officers and Service managers to complete their fire safety risk assessments to an appropriate standard
- Support the completion of the premises Fire Register
- Undertake fire safety audits of premises
- Provide face to face fire safety training
- Support the H&S Team in ensuring that its corporate on-line training remains current, correct and up to date
- Support CAFM & Major Projects in their endeavours to undertake improvements to existing premises, secure new premises or dispose of inappropriate accommodation
- Support the broader work of colleagues in the Environmental Health Service.

2. Funding for CAFM

Previously CAFM had a dedicated fund for H&S, fire safety and access works. Evidence of the early audits of the Council's retained housing has illustrated the need to spend further funds. Additional funding is likely to be required to ensure that all premises, particularly dwellings have adequate fire precautions, without detriment to the remainder of the corporate estate.

3. Automatic fire water suppression systems

The Council's Fire Safety Policy Statement currently states both a commitment to consider the installation of a 'sprinkler' system to newly built schools and if residential accommodation should close for refurbishment, that the Council will install a sprinkler system.

However our current (post Grenfell) investigations have illustrated the vulnerability of some of those in our care, together with the 'looseness' of the fire precautions in some of these complex but important premises that provide homes, care and independence for vulnerable members of our community. A typical concern is the

impact of a person's mental health, particularly when taking a combination of medication, whilst using drink and smoking in their bedrooms.

Fires caused by smoking materials result in more deaths than any other type of fire. Tobacco is manufactured to stay alight, meaning it can remain smouldering and start a fire. Statistics suggest that one third of households have a smoker living in them and these households are one and a half times more likely to suffer a fire than a non-smoking household (Ref: <https://chieffireofficers.wordpress.com/category/smoking/>) Figures for 2013-2014 show 38% of all deaths in fires in the home were caused by smokers' materials.

Although promoting smoking cessation/reduced smoking rates, particularly amongst the most vulnerable will ultimately result in lower numbers of smoking related fires, injuries and fatalities, overall, significant improvements can be made in fire safety and the protection of life if automatic fire water suppression systems were retrofitted into these properties.

The Council is currently looking at retrofitting a sprinkler system into Heatherstones and the six dwellings attached to the Borough Market above Market Street. It is believed that the work can be done with reasonable ease and not too great an expense based on Theopolis Cottage, Huddersfield Road, a three bed room dwelling which was equipped with a sprinkler system for circa £6,000.

D Fire Safety: Readiness and Response

1. Calderdale Council

The Civil Contingencies Act 2004.

Councils have a range of responsibilities when emergencies take place, set out in the Civil Contingencies Act 2004.

The Civil Contingencies Act 2004 defines an emergency as:

‘An event or situation which threatens serious damage to human welfare in a place in the UK, the environment of a place in the UK, or war or terrorism which threatens serious damage to the security of the UK’.

Local Authorities, like Calderdale Council, are classed as Category One responders in line with the Emergency Services, National Health Service organisations and Government Agencies.

A guide to the act for councillors by the Local Government Association outlines the kinds of events covered by the Act. It sets out the duties councils are charged with in dealing with the impact of such events, but also points to bigger responsibilities, less easy to define and concerned with the general welfare of the community.

The role of the Council in an emergency includes managing its own response, supporting and assisting the wider community and supporting the emergency services and other responding agencies, endeavouring to minimise the effects of an emergency as far as is reasonably practicable. The Council will strive to continue its normal business, and will lead the process of restoring the community to normality.

Anticipation, Assessment, Prevention, Preparation, Response and Recovery are the key areas which all Category One responders will consider in planning and responding to emergencies. These key areas are essential to ensure that the Council is able to respond to any emergency which may occur so far as is reasonably practicable.

Incidents like Grenfell Tower provide learning opportunities that help shape our emergency response. Like other areas Calderdale Council along with its partners has reviewed its local policies and arrangements to reflect on the initial learning from Grenfell, it will continue to do so as more learning emerges from the reviews/ inquiries that are being undertaken at the national level.

COMMAND & CONTROL STRUCTURE:

Calderdale operates a three-tier emergency management structure – Strategic (Gold), Tactical (Silver) and Operational (Bronze), each of which has its own objectives:

Strategic (Gold)	Establishes strategic objectives and the overall management framework. Coordinates overall response. It ensures long term resourcing/ expertise.	Co-chaired by the CMBC Chief Executive and the District Commander, West Yorkshire Police. This group meets quarterly or when there is a need.
Tactical (Silver) Feeds up into Gold and down into the Bronze	Determines priorities in obtaining and allocating resources and plans and co-ordinates the overall response.	Co-chaired by the CMBC Director for Communities and Service Support and the Deputy District Commander, West Yorkshire Police. This group meets bi-monthly or when there is a need.
Operational (Bronze) Feeds into Silver	Managing front-line operations	Bronze is chaired by the CMBC Community Safety Partnership Manager. This group meets monthly.

An event or incident would prompt the activation of Calderdale's Major Incident Plan, Control Room Plan and the Rest Centre Plan. Additional plans (Appendix 6) may be activated depending on the nature and scale of the incident /event.

Calderdale GOLD (Strategic Control Group) would be convened supported by SILVER (Tactical Control Group) and Bronze (Operational delivery).

STAGES OF INVOLVEMENT

Calderdale MBC's involvement in an incident will usually be divided into two distinct phases - initial response and recovery (short to medium and long term). The needs of the victims, their neighbours and friends and the community as a whole mean may mean that on occasions the recovery process may begin at the same time as the initial response.

Response	The initial response - Emergency Services will be the initial responders to any incident. The Police will usually co-ordinate the activities of all responding agencies. The Councils role in this phase can be limited to supporting the Emergency Services, except in incidents where the council will take the lead e.g. flooding.
Recovery	The short to medium term - is when Calderdale MBC becomes fully involved in the response and recovery of the incident. The emphasis is mainly two fold, clearing up after the incident, and the welfare of those people affected. The Police will usually retain overall co-ordination at the scene, but the responsibility for the remainder of the response and recovery will probably be handed over to Calderdale MBC.
	The long-term - efforts are usually concentrated on welfare issues, restoration of the scene and a return to 'normality' as soon as possible. These issues can last for a considerable length of time, e.g. public inquiries, anniversaries etc.

Calderdale Council's objective in response to an emergency incident is to work in partnership to ensure the effective and efficient use of all resources in order to minimise impact and ensure a return to normality as soon as possible. Emergency response and recovery arrangements are flexible and tailored to reflect local and evolving circumstances.

A typical response sees the establishment of a Multi-Agency Control Room which can be located in any appropriate building, including;

- Halifax Town Hall
- Richmond Close Police Station
- CCTV facility at Battinson Road

This would co-ordinate the SILVER tactical response required to deal with the evacuation and re-location of displaced occupants.

In Calderdale we believe that modern systems of resilience and preparedness should be built upon a whole of community orientation - one where we recognise that effective resilience, response, and recovery depend upon the joint efforts of not just local government, but also the private sector, non-statutory organisations, and the impacted communities themselves. We believe that resilience strategies only work effectively if they are part of a holistic approach that connects citizens, communities and institutions across the public realm.

In an area like Calderdale due its size and settlement patterns, emergencies are likely to impact on fairly specific geographical areas and communities. Following the Boxing Day 2015 floods, a network of Community Support Hubs has been

established to co-ordinate the response and recovery in local areas. These Hubs will identify local impact, liaise with the central multi-agency control room and provide appropriate local support, including the coordination of volunteers.

Calderdale has also invested in Neighbourhood management, with teams in place in key areas within communities. This embedded neighbourhood working facilitates the necessity to draw upon, support and co-ordinate community recovery in times of need. This resilience has been demonstrated to good effect by the five year approach to community re-assurance and engagement in response to Operation Havenside (enquiry into CSE).

If there is one thing that has emerged from Grenfell and the tragic incidents that have occurred in Manchester and London earlier this year is that however well prepared emergency plans look on paper, it is the ability of the local authority and officers to respond speedily and to connect effectively with the local community that will inspire public confidence.

Calderdale Council has a robust out of hours arrangement in place consisting of a Senior (Strategic) Officer, an Emergency Planning Officer, a Communications Officer and an IT Officer all available 24 hours a day, to complement the working practices of the Emergency Services. The Highways and Safer Cleaner Greener teams also have their own 24/7 arrangements in place.

The Council has a strong working relationship with Together Housing and is working with them to modify their out of hours arrangements and resilience. The Council and Together Housing will identify practices and provisions which will enable the delivery of long-term recovery.

Good business continuity and emergency planning arrangements can minimise the impact of any emergency situation or critical incident. In Calderdale we have a range of emergency plans and procedures that are tested regularly; this is to test resilience, capture learning to bring about improvements by addressing any gaps or areas of weakness so as to ensure that should an emergency occur, the Council and its partners can respond in an integrated and coordinated way.

The council has also invested in the upskilling of key staff by arranging a bespoke training course at the Emergency Planning College in January 2017. This training focussed on partnership working, the function of a control room and the command structure in an emergency.

Based on the experiences of responding to Dodgeholme Court (see Appendix 7) and the learning from the Calderdale Boxing Day Floods there is no doubt that if a similar incident was to take place in Calderdale, council staff, and councilors themselves would not hesitate to step up to the mark in volunteering to help out, as would the public and wider community.

2. West Yorkshire Fire and Rescue Service

STATISTICS

Dwelling Fires – During 2015/16 dwelling fires in Calderdale fell to their lowest ever level.

Home Fire Safety Checks - During 2016/17, the Calderdale district accrued 27,512 points exceeding the District points target by 21.5%. *(Points are accrued through differing risk factors identified during a visit. (eg Smoker, Living alone)*

Non-Domestic Building Fires (includes mills) The total as at 31 March 2017 was 42 for the Calderdale district. This was 27.3% higher than the agreed 3 year (2013/16) average target of 33.

Upper Valley area returned the highest number of non-domestic building fires for the District. This year's incidents included five significant fires requiring resources from across the county. The incidents of note are; Dobb Royd Castle (8 pumps), Barn attached to a farm on Water Stalls Road (6 pumps), Calder Valley Skip Hire (12 pumps), and two separate fires at Riverside Works, Elland (10 + 7 pumps).

WYFRS response resources were committed to emergencies for 3.6% of the time during 2013/14 compared to 5.8% of the time in 2009/10. Response to emergency incidents follows a general pattern and the bulk of resource mobilisations occur during the hours of 11 am to 11 pm. Operational activity levels peak during the hours of 6 pm to 7 pm but decrease rapidly after 11 pm.

1. [Civil Contingencies Act 2004](#)

The Civil Contingencies Act 2004 requires fire and rescue authorities to have effective business continuity arrangements in place. These plans need to identify, assess and address any gaps between existing capability and that required for local and national resilience.



i. Responding to calls for emergency assistance and mobilising appropriate resources

WYFRS provides fire and rescue cover 24-hours a day, every day of the year. A central control room located in Leeds receives 999 calls and other requests for emergency assistance. An appropriate response to emergencies is then made from the nearest fire stations.

The emergency response time is the time taken for the first fire appliance to arrive at an incident following an emergency call. WYFRS attends emergencies as quickly as possible, but their focus is upon a swifter response to emergencies that are more serious in nature and particularly those where life risk is present.

In 2010, a review of emergency cover helped to inform and guide the WYFRS emergency response times; known as Risk Based Planning Assumptions (RBPA). The RBPA promote a proportionate response to different categories of emergency and geographical wards.

WYFRS guide response times now reflect risk bandings for each ward and the type of emergency. The risk bands reflect the outcome of the risk matrix assessment for geographical wards. There are three main categories of emergencies included as part of the RBPAs. The table below highlights the incremental increase in guide emergency response times in respect of the five risk bandings and the three categories of emergency.

Risk Band/Emergency	Life	Property	Other
Very High Risk	7 minutes	9 minutes	11 minutes
High Risk	8 minutes	10 minutes	12 minutes
Medium Risk	9 minutes	11 minutes	13 minutes
Low Risk	10 minutes	12 minutes	14 minutes
Very Low Risk	11 minutes	13 minutes	15 minutes

Most fire engines are continually crewed and kept available throughout each 24 hour period. There is, however, scope to vary the number and/or crewing method and to align the number of available fire engines to the likely demand levels.

The majority of emergencies the fire and rescue service responds to are relatively small in nature and are dealt with using local resources based at fire stations strategically located across West Yorkshire. However, very occasionally, major

events occur which require not only the bringing together of fire and rescue service resources but also a multi-agency emergency response.

Sections 13 and 16 of the Fire and Rescue Services Act 2004 require neighbouring Fire Authorities to enter into formal mutual aid support and emergency provision arrangements. WYFRS shares borders with North and South Yorkshire, Lancashire, Greater Manchester and Derbyshire fire and rescue services. WYFRS has robust arrangements in place with our neighbouring Fire and Rescue Services, to provide and receive cross-border assistance and response to all incidents on request.

The response to incidents of a less serious nature may vary from mobilising a single fire engine, or an officer to assess requirements. Incidents of a more serious nature, for example, house fires and road traffic collisions will normally attract a minimum first attendance of two fire engines.

WYFRS assigns a standardised level of response known as the pre-determined attendance for each different category of emergency call. The pre-determined attendance ensures that the correct level of resources is mobilised as a package to safely deal with the majority of eventualities. The pre-determined attendances continue to reflect the unique nature of specific risks and information gathered by operational crews during operational risk visits at commercial properties.

Some of the county's highest risk buildings currently require several fire engines as the pre-determined attendance. Examples of such premises include large chemical sites, hospitals and sites where water supplies are sparse. Other types of emergencies demand mobilising a specialist capability as part of the initial response. Examples of these types of emergency include water rescue incidents and chemical releases.

ii. Providing a state of the art fleet of fire engines and emergency response equipment – management and maintenance of infrastructure

A wide range of fire engines are in use throughout the UK. They vary in height, length and weight and, as such, require varying degrees of access.

There is a dedicated 'high rise' equipment pack on all fire engines across West Yorkshire with equipment to support the response operation to incidents within high rise blocks.

The Service currently hosts several government funded national assets that form part of the United Kingdom's resilience against risks and threats contained on the National Risk Register. These assets include:

- High Volume Pumps, for delivery or removal of high quantities of water
- Urban Search and Rescue (USAR) modules for effecting complicated rescues

- Detection Identification and Monitoring (DIM) equipment, for hazardous materials
- Mass Decontamination modules, for decontaminating large numbers of people.

The equipment and operating procedures require a high level of competence and the cost of this is significant. A continuation in government funding will influence how WYFRS delivers this capability in the future.

Whilst dealing with a major incident it is essential to provide the best available fire and rescue cover with depleted operational resources. A new dynamic fire cover and risk analysis tool has been developed with Systel, an international company which provides mobilising and communications systems throughout the world. Systel have recently installed WYFRSs new mobilising and control system. The tool uses GPS technology to help to determine the best locations for any given number of fire engines and provides optimum performance against the RBPAs. Whereas previous tools enabled WYFRS to identify life risk only, they can now identify specific types of risk or a blend of risk, to determine the most appropriate model of fire cover. They are also able to determine the most suitable strategic standby locations based on the number of fire appliances available.

WYFRS can also enhance its response capability by using additional fire engines called 'Resilience Pumps'. These fire engines are continually staffed and will only be activated using 'recall to duty' arrangements under the following circumstances:

- to respond to unanticipated or unexpected high level of emergency calls
- to provide additional resources during a major emergency; for example wide area flooding, or at large protracted fires
- as part of a pre-planned response to organised, or anticipated events; for example, public demonstrations and inclement weather.

iii. Ensuring that firefighters are highly trained so that they can deal with emergencies in a competent and professional manner

WYFRS recognises the importance of training and development towards the success of fire prevention work. The Fire Prevention Training Team is responsible for ensuring that training programmes are developed for both fire prevention and operational staff, which are delivered in conjunction with the Training department.

All District Command teams have a training plan for each year and this involves exercising against key risk sites. Due to the fact that firefighter deaths in the UK over the past ten years have occurred in high rise flats, it is a key area of training across all districts. Many local crews have 'adopt a block' schemes which see the local fire crews visiting their local high rise blocks to check the availability of firefighting equipment and to maintain their familiarity with the layout of the block to ensure an

effective response in an emergency. Wherever possible, WYFRS develops relationships and works in partnership with owners, caretakers and safety officers of high rise blocks.

iv. Making sure that resources are located where they provide most benefit

National and local data helps to determine the risk presented by various building categories. A premises risk database allocates risk bands to each individual property based upon the likelihood of fire in each particular type of building, occupancy levels and the standard of management present. The premises risk database allows the fire and rescue service to prioritise protection and enforcement activities.

Independent risk modelling now forms part of the risk management process for emergency cover arrangements. The modelling helps to identify the best location to position resources and the impact of change upon risk levels and emergency response times. The modelling results provide stakeholders with detailed information of current and predicted risk and performance levels. They also provide assurance that proposed changes will not endanger communities or unduly increase risk levels.

v. Ensuring Fire engines must be able to get close to the building

Since 2010, fire crews have carried out familiarisation and training exercises at high rise premises across West Yorkshire following a significant update to our operational procedures. This update was as a result of the learning from national incidents. The release of the new procedures also required that every operational crew across WYFRS completed:

- A whiteboard exercise on a high rise risk within their local area
- Visits to local high rise buildings to carry out 'dry runs' of the new procedures
- A practical exercise simulating a high rise fire with the full standard attendance to ensure
- that all the elements of the new procedures were covered.
- An E Learning module assessing knowledge of firefighting operations at high rise buildings.

In addition to this, from 2012, all Watch and Crew Commanders are required to attend operational command assessments - a simulated high rise incident scenario at the dedicated Command training suite at WYFRS.

vi. Response to a Notification Cladding has failed Combustibility test

When West Yorkshire Fire & Rescue Service receives notification from the BRE or NFCC that a sample of cladding has failed the combustibility test, fire protection

officers have to make a visit to the building within 24 hours of receiving that notification.

The purpose of this visit is to discuss with the Responsible Person the immediate interim measures which they are required to introduce as a result of the failure.

This visit is different to an audit which our inspectors would normal carry out and has been developed by an expert panel sitting in DCLG with specialist input from the fire sector and NFCC.

Some of the measures required to be introduced include:

- Checking all front doors are fire resisting and self-closing
- Check compartmentation
- Check all smoke detectors are present and working
- Consider the installation of a temporary fire alarm covering common areas
- Introduce a fire watch to patrol the site
- Relocate vehicle parking so that a vehicle fire does not impact any cladding
- Review any other cladding on the building to ensure it meets relevant standards

During 2016/17, Calderdale firefighters visited several sites in line with the Risk Based Inspection Programme themes. These included visits to schools, residential care premises, and larger factories and warehouses. Operational crews have continued to revisit higher risk sites in the area and update the respective details.

During 2017/18, the Calderdale District Team will seek to improve the fire safety awareness for private landlords. This is a direct response to the number of serious fires in privately rented dwellings. Both of the fire related deaths in Calderdale during 2016/17 occurred in privately rented accommodation. The associated fire investigation reports for these incidents highlight scope to improve fire safety arrangements. The District Team will therefore initiate an awareness campaign including a series of workshops for local landlords. The Team will also improve its partnership arrangements with adult social care and highlight the direct links between lifestyle factors, dwelling fires, and fire related injuries.

E Fire Safety: Wider Community Impact

a. Approach to future housing development

The social housing sector provides accommodation to some of the most vulnerable people in society: 70 per cent of social tenants have incomes within the poorest two fifths; social tenants have high rates of disability, are more likely to be lone parents, single people or aged over 60.

(<http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/Allocating%20Social%20Housing.pdf>)

Grenfell has made us think about the true extent of social inequality. The Labour Party, National Housing Federation and Chartered Institute of Housing have all referred to the ‘demonisation of the poor’, crudely characterised as those who receive welfare payments

‘single-income, single-generation, single-class developments’

One of the lessons from Grenfell simply might be that we should be cautious or stop building residential tower blocks altogether.

This was the opinion expressed by a number of people during the public consultation.

‘In this day and age high rise is not a good idea – three storey is enough’

‘flats should never have been built

‘bad decision being made’

‘If I had means I would have chosen something different, I am happy where I am but may move if circumstances change’

After the collapse Ronan Point, a 22-storey block in 1968, and following changes in the subsidy system, councils generally stopped building high rise. Having families living in social housing above the fifth floor was actually a measure of deprivation with the national index of multiple deprivation, which generated additional central government funding for local authorities.

b. Vulnerable and Older Residents - Allocation and Lettings Policy

Difficulties of escaping from the Grenfell blaze were exacerbated for those with limited or no mobility which led to suspected fatalities. The tragedy has prompted

questions over whether landlords should review the allocation of high-rise flats to older and disabled people. As it stands, such decisions are left to landlords – or individuals bidding through choice-based lettings systems.

Locally the vulnerability questionnaire that THG sent out to its residents was seen as a positive thing.

‘Some people would find it difficult to move out but now they ‘know who they are’

However there was concern whether information would be shared with the fire service.

‘Fire service need to know where vulnerable are, I see lots of cares coming in 2/3 times a day’

Kensington and Chelsea Council has stated that it does not make direct offers of properties above fourth floor level in lifted blocks in the cases of people with disability access needs, however, through the council’s choice-based letting system, housing applicants are able to choose to bid on lifted properties located on higher floors.

To put a vulnerable person with mobility issues or dementia in a high rise building would clearly be best avoided; however, with limitations in the availability of affordable stock and type in some areas this may be unavoidable and some thought needs to be given to how high people with such vulnerabilities are placed within a high rise building.

One local respondent did make her opinion clear as to what she thought

‘This is not the right type of property to place vulnerable people’

‘Once both lifts did not work – you had to walk up or down or you were stuck’

The same person welcomed an evacuation of her flats to see what would happen.

Older age restricted housing lettings plans for high rise is likely to increase the number of vulnerable people that need to be supported during an evacuation. Although developments supporting age restrictions are actively sought after by some residents, the level of care support needs is likely to be more significant due to age and infirmity which may delay single or multiple evacuations where evacuation is necessitated. There are examples of age restricted high rise buildings in Calderdale.

Risk managed allocation is easier to manage at the beginning of a tenancy through the initial housing assessment but more difficult in established and longstanding tenancy. Some disabled people living on the upper floors of blocks may not have been disabled when they moved in and older tenants will often be reluctant to be uprooted from their family home.

There may also be logistical problems that could be thrown up by having to regularly reassess whether a particular property remains appropriate for a particular individual. A blanket approach which says you will never house a person with a certain vulnerability or disability in a certain type of accommodation may be unmanageable and discriminatory under the Equality Act 2010. A pragmatic and sensible reassessment of existing practice is however required, particularly if there is only one access/egress point.

The Fire Brigades Union does not have a specific policy on housing older or disabled people in high-rise blocks, but Dave Green, national officer at the union, says

“it would certainly seem prudent to avoid putting frail, vulnerable people in high-rise housing as they would be virtually housebound if the lift broke down” (<https://www.insidehousing.co.uk/home/housed-too-high-51505>)

c. Impact of the ‘Right to Buy’ and Mixed Tenures

Mixed tenure can bring about challenges in relation to maintaining fire safety within buildings.

One of the lessons of Grenfell was that it wasn’t clear who was living in some of the flats. This may have been through the consequences of the Right to Buy with some flats sublet by leaseholders or through overcrowding of flats if brought to the attention of the housing provider may have resulted in people being forced to vacate.

As well as the issue of not knowing who is living in the building, concerns were also raised over the integrity of fire doors, evacuation routes and the way gas pipes were retrofitted.

In blocks of flats, each flat is designed to be a fire-resisting ‘box’. It is important to maintain the integrity of this compartment, particularly when building work and alterations take place. Concern was raised that some individuals were carrying out works or using appliances that might not be compliant

‘Some people have changed fire-doors, bought doors themselves’

‘People have storage heaters that don’t work and haven’t been replaced so people are buying their own or using other forms of heating - that can be dangerous as you don’t know if they are safe’

Those that had access to paid facilities in social housing were not clear where responsibility lay

‘Who is responsible for cleaning the dryer – removing the fluff?’

d. Sense of Community

THG drop in sessions were welcomed and offered reassurance to tenants, tenants felt they were being kept informed.

Investment in resident was also welcomed, it enabled the spirit of community to be developed. Not everyone was interested but for those who were, it enabled them to socialise and engage with one another.

It was apparent from conversation that

‘How property is occupied is important’

Where relationships had been formed people looked out for one another, but they also respected the privacy of others even when safety concerns were raised

‘We have an alcoholic in our building and he has an electric heater which worries me I haven’t reported it – it’s his own private domain’

When a question was raised in a focus group meeting whether there would be interest in people taking up a role such as a volunteer resident warden the response wasn’t as positive

‘a lot of people don’t want to get involved’

‘With community living your front door is gone, you go into your flat and you shut the door’

e. Stay Put Policy

Much has been done to explain the Stay put policy and reassure communities.

Staying put is not unsafe or unwise, but it is counterintuitive to people’s natural instincts. That in itself carries its own risks; particularly now, having witnessed the Grenfell media coverage.

‘We only have one entrance in and one entrance out – I previously lived in a cottage – I had a back door and a front door so it is in the back of my mind’

The WYFRS and others supporting fire safety in Calderdale recognise that confidence in the policy may take time and they continue to reassure communities through key messages such as the one WYFRS promotes:

‘The vast majority of fires within high rise blocks across West Yorkshire are contained to the flat where the fire started’

An analysis of recent high rise fires in West Yorkshire (Appendix 8) validates the 'Stay put message'.

f. Impact of Ledbury Towers, Southwark

Following the Grenfell Tower blaze, residents of the Ledbury Towers, overseen by Southwark Council, raised concerns about cracking in the buildings. A structural engineer was sent to check the safety of the blocks and found that further testing and maintenance work was needed to ensure their safety.

The council took the decision to shut off the gas supply in the building as it is "not willing to take any risks with their safety".

Following the findings of Southwark, THG undertook a review to confirm their belief that none of the THG High Rise blocks were constructed of pre cast concrete panels, similar to the Ronan Point and heated via gas appliances. Nine out of the 16 high rise blocks in Calderdale have a gas fuel supply and some form of gas generated heating distribution system. Site visits confirmed none of the THG High rise property portfolio visited had been constructed originally or subsequently re-clad with a precast concrete panel system consistent with the Ronan Point construction style.

Media reporting of the story raised additional concerns for those living in high rise, including one local respondent. Having electric over gas in high rise was welcomed by the tenant who saw gas as a bigger risk.

F. Fire Safety: Recommendations

Local

a. Calderdale Council Corporate Estate- it is recommended that:

- 1. That an indicative contingency of up to £500,000 Council growth bid to support fire safety compliance, to be drawn on as required for the corporate estate, is established.**
- 2. That a Building Control Senior Surveyor (with additional higher level fire safety competencies and graded PO5 – PO8 (salary range £32,486 to £35,444) be employed to support the completion and sign off of fire safety risk assessments, provide advice and guidance regarding fire safety matters including project design, provide fire safety training and consult with West Yorkshire Fire and Rescue Service.**
- 3. The Council's current Fire Safety Policy should be reviewed to ensure future minimum standards for fire safety and access to all new buildings and acquisitions. Examples might include: minimum category L2 automatic fire detection and alarm systems incorporating auto-dial to the fire brigade, provision of alternative escape routes, installation of evacuation lifts and provision of automatic water fire suppression systems.**
- 4. Where premises are built or acquired without meeting appropriate fire standards as suggested in Recommendation 19, their omission should be subject to risk assessment documentation by project managers signed off by the Service Director.**
- 5. Provide Area Facilities Officers and site contacts to IOSH "Fire Safety for Managers" accredited training delivered in house via the Health and Safety Team.**

6. Ensure that when changes are made to existing fire precautions in corporate premises that the adapted premises continue to provide an appropriate early warning of a fire together with adequate means of escape to support the safe evacuation of the building. Documentation should remind specifiers, contractors and installers of the need to preserve fire safety when removing, altering or replacing passive fire protection.
7. Continue to support the development of the IDOX spatial database management system within budgetary frameworks.

b. Council and Partnership response - It is recommended that:

8. Operational firefighters (who are authorised under the Fire and Rescue Services Act 2004 to gather risk information regarding buildings and to establish if Responsible Persons understand their fire safety obligations) should be provided with additional training and authorisation to enable them to undertake fire safety inspections and audits on lower risk premises as a priority.
9. The Council and its partners should continue to work together to build intelligence on the profile of the private rented housing sector, particularly mill conversions, permitted conversions and HMOs.
10. The Council should develop a local emergency resilience and response plan to respond to potential fire evacuation of high rise build based on the historic experiences of Dodge Holme court and the learning from Grenfell.
11. All council services that work in vulnerable people's homes should discuss fire safety with residents, check for fitted working smoking alarms and make referrals (if required) to the Fire Service using the Safe & Warm Homes referral scheme for further assistance. Key target residents include:

- those with physical or sensory impairments or learning difficulties
- older people
- young person's homes
- substance misusers
- smokers
- those dependent upon oxygen for health

12. The Council should consider the benefit of introducing a discretionary housing licensing scheme in areas of concentrated private let residential accommodation.
13. The Council, WYFRS and other relevant partners should continue to meet and share best practice with landlords and communities to help them understand their roles and responsibilities in managing and maintaining fire safety.
14. As opportunities arise council services and WYFRS should collaborate with and share learning and good practise with wider sectors including academies, other high risk/profile buildings and the business/ retail sector.
15. The Council and its partners should continue to monitor the horizon for potential or proposed changes to building regulations or enforcement regimes. Particular focus should remain on information generated by the Grenfell Tower enquiry.

c. It is recommended that registered housing providers, landlords and as relevant managing agents:

16. Ensure that Fire Risk Assessments are undertaken in line with regulatory requirements and by a competent person who has appropriate training and/or experience in carrying out fire risk assessments associated with the nature of the occupancy and type of buildings in question.

17. When undertaking fire safety risk assessments in multi storey and high rise residential accommodation, carry out rigorous checks to ensure that compartmentation of dwellings is in good order and has not been compromised by authorised or unauthorised building modifications or utility upgrades.
18. Ensure the fire safety assessment methodology includes consideration of additional fuel loads present in the building (e.g. oxygen cylinders etc.) that existing housekeeping arrangements and procedures are satisfactory and that the necessary equipment and facilities are available.
19. Review and update evacuation policies and 'stay put' advice for multi-storey and high rise residential accommodation in light of risk assessments, and communicate this clearly to all residents.
20. Identify and ensure all existing vulnerable residents and those with mobility impairments, sensory impairments or learning difficulties, living in multi-storey and high rise residential accommodation covered by a fire risk assessment have a personal emergency evacuation plan (PEEP) in place, together with the means of delivering that plan.
21. Ensure that systems are in place to produce personal emergency evacuation plans (PEEP's) where necessary for residents living in multi-storey and high rise residential accommodation where material changes in personal circumstances or tenancy changes.
22. Link evacuation of multi-storey and high rise residential accommodation to effective management arrangements as part of the landlord's emergency plan for it to be effective where evacuation is necessitated. Such an evacuation plan should not rely upon the intervention of the Fire and Rescue Service to make it work.
23. Review their letting policies for multi-storey and high rise residential accommodation in Calderdale to ensure that they are satisfied that any new placement of vulnerable residents, (specifically those residents who are infirm or have mobility impairments or learning difficulties) would not place them at additional risk in the event of a fire.

- 24. Consider practicing fire evacuation procedures for multi-storey or multi-occupied residential dwellings.**
- 25. Ensure that all private tenanted accommodation is provided with an appropriate early warning of a fire together with adequate means of escape to support the safe evacuation of the building.**
- 26. In line with regulatory requirements ensure that in all new private residential lets with effect from 1 October 2015:**
 - i. at least one smoke alarm is installed on every storey of private rented property used as living accommodation and**
 - ii. that a carbon monoxide alarm is in any room used as living accommodation where solid fuel is used**
 - iii. all alarms are in working order at the start of each new tenancy.**
- 27. Whilst acknowledging the primacy of good building management and compartmentation, automatic water fire suppression 'sprinkler' systems or alternative suppression systems should be fitted in existing and new build high rise residential accommodation, with representation made to central government to provide funding for retrofitting measures.**
- 28. Ensure that all residents are provided with fire safety awareness including prevention and the action to be taken in the event of fire. Ensure information is available to residents whose first language is not English or who require information in alternative formats.**

National

Cabinet Members are asked to recommend the following to the relevant government body/agent:

- 29. Building regulations need to be clarified and simplified in particular in respect to wall cladding systems and fire integrity of residential compartments.**
- 30. The current building inspection regime should be reviewed, in particular the validity of competition between Building Bodies and the potential for this to affect building standards and compliance.**
- 31. In line with the Home Affairs Committee recommendation, asylum dispersal property inspection duties currently carried out by the Home Office should be transferred to local authorities, along with the necessary resources to carry out this function effectively.**
- 32. Fire and Rescue Services and/or Council's should be provided with greater powers to support landlords/freeholders to:**
 - a. enforce access to tenanted properties to undertake fire related works – including gas servicing and periodic safety/maintenance checks**
 - b. ensure that private owners/ leaseholders in mixed tenure multi-storey and high rise residential accommodation do not compromise the fire integrity of the building or increase the risk of harm to other occupants**
 - c. ensure that private owners/ leaseholders in mixed tenure multi-storey and high rise residential accommodation co-operate and address any fire safety concerns.**
- 33. Whilst acknowledging the primacy of good building management and compartmentation automatic water fire suppression 'sprinkler' systems or alternative fire suppression systems should be fitted in existing and new build high rise residential accommodation and funded by central government.**

APPENDICES

APPENDIX 1



Call for evidence

Independent review of Building Regulations & Fire Safety

Q1 The overarching legal requirements

To what extent are the current building, housing and fire safety legislation and associated guidance clear and understood by those who need to follow them? In particular:

- What parts are clear and well understood by those who need to follow them? and, if appropriate.
- Where specifically do you think there are gaps, inconsistencies and/or overlaps (including between different parts of the legislation and guidance)? What changes would be necessary to address these and what are the benefits of doing so?

Response

Building Regulations

Redraft the Building Act 1984, Building Regulations and Approved Document B (Volumes I & II) to take account of all amendments, changes in other Parts of the regulations, industry practices and innovative construction, methods and materials.

Despite indications that Approved Document B (Volume I & II) would be subject to a review, this has not come to fruition. We would recommend that following the twin tragedies of Lakanal House and Grenfell Tower, a review should take place of Approved Document B as soon as possible.

There is a lack of synchronisation between the various Approved Documents and their demonstration of compliance for the various Parts within Schedule 1 and the Requirements of the Building Regulations.

Seek through education and awareness to increase understanding that the Building Regulations only offer minimal standards of compliance and create an imperative amongst society to exceed those standards to ensure adequate levels of safety, comfort, compliance and the sustainable development of the built environment.

A positive to the use of functional requirements within the Building Regulations 2010 (as amended) facilitates flexibility of design and enables provision of alternative solutions to ensure the development of safe, effective and sustainable buildings.

However that flexibility derived through functional requirements demands clarity within the Approved Documents to facility the best opportunity for ensuring compliance with the requirements and to ensure clarity of vision between developers, Architects, Contractors and Building Control Bodies.

Approved Document B is perhaps the most important suite of guidance available to the building industry, but requires a significant level of knowledge and experience in use to ensure appropriate outcomes. Equally full compliance can only be achieved by reading and comprehending the whole of the guidance, for example to avoid repetition, it is presently necessary to read the chapters on both horizontal and vertical escape to enable the design of effective horizontal escape. One solution might be the use of a digital edition of any new Approved Document that introduced hyper-links to facilitate links between subjects and topics to ensure a broader clarity of the elements of compliance for a given element (i.e. external wall / intermediate floor junction in residential, high rise accommodation, where fire compartmentation, sound insulation, thermal resistance, structural integrity, etc all impinge).

Similarly within the overall text there is limited reference across the various topics to remind users of the documents how key concepts are established and maintained e.g. the provision of fire stopping adjacent to compartment floors in tall residential buildings whilst retro fitted with rain screen cladding.

Greater levels of guidance should be provided where complex or innovative solutions are to be adopted that give rise to potential risks of non conformity, particularly where previous experience across the globe suggests that a particular material, component or construction technique may compromise safety standards.

Could the Building Regulations Advisory Committee (BRAC) be asked to investigate major fire events in other countries, particularly where there is consequential risk of harm to occupants or others or significant risk of economic loss, to learn from the situation and enable DCLG to provide advice and awareness of particular potentially hazardous building techniques, quickly after the event?

We recommend that paragraph 12.7 be expanded to offer significantly more clarity as to the means of ensuring compliance with the Building Regulations with regard to the use of rain screen cladding as part of both new build and retrofitted systems. Whilst also clarifying how and when rain screen cladding systems might be deemed a thermal element.

We recommend that Diagram 40 is revised to reflect the recommendations of paragraph 12.7. Reference to insulation materials or products could include surface cladding materials and the fire rating of such systems.

Consider if there is a benefit in returning to the use of 'Deemed to satisfy' provisions that offer a clarity to standards of construction and compliance for typical construction solutions as a means of illustrating minimum acceptable standards.

There is continuing misunderstanding across the construction industry of the legal differences between Full Plans application and Building Notice procedure and that Building Notices cannot be used for commercial work where the Regulatory Reform (Fire Safety) Order 2005 applies.

Fire Safety Order

The role of responsible person under the RR(FS)O 2005 is a much misunderstood responsibility. Despite much clear advice and information available via HM Government web pages, many smaller (and some much larger) organisations have failed to meet their legal obligations, as illustrated by continuing prosecutions.

The lack of knowledge and awareness of the role and responsibilities of the 'responsible person', together with the blatant disregard by some, places many people at significant risk in the event of a fire.

Further awareness is required to ensure that all responsible people meet their legal duties and responsibilities, in order to protect members of society, reliant upon the responsible person for their safety.

Under the previous Fire Precautions Act 1971, the fire authority issued a fire certificate.

If the RR(FS)O 2005 were amended, the responsible person could be made responsible for informing the fire authority of occupation of a building and demonstrating compliance, the fire authority could then develop a fire certificate style document regarding the premises to supplement the responsible person's fire safety risk assessment, the work being funded by the responsible person in a similar manner to that of enforcement interventions by the HSE.

Q2 Roles & Responsibilities

Are the roles, responsibilities & accountabilities of different individuals (in relation to adhering to fire safety requirements or assessing compliance) at each key stage of the building process clear, effective and timely? In particular:

- Where are responsibilities clear, effective and timely and well understood by those who need to adhere to them/assess them?; and, if appropriate

- Where specifically do you think the regime is not effective?
- What changes would be necessary to address these and what are the benefits of doing so?

Response

It remains the primary duty of a building owner, their developer, Architect, Contractor and design team carrying out the work to ensure compliance with the Building Regulations.

Greater education and awareness is required to promote an understanding of who is responsible for compliance with Building Regulations.

The Building Control Body will provide an independent third-party checking service to help achieve compliance with building standards, support and advise customers at the design stage and on site, help with aspects of workmanship and materials that affect compliance, and ensure that all necessary building standards are complied with at completion.

As time constraints impinge upon many developments, the Building Control Body often has little time to deal with projects prior to commencement of work on site, equally many domestic developments are the subject of a Building Notice with little or no details provided initially, these issues can create challenges to ensuring compliance on site, where the owner, designer and contractors have little knowledge of the requirements of the Building Regulations and are reliant upon interventions by the Building Control Body to ensure compliance.

The previous practical close link between local authority Building Control departments and their local Fire and Rescue Service, particularly sharing site visits relating to completion of developments, to coordinate critical reviews and share compliance perspectives has diminished with the primary focus being the requirement for Building Control to send plans and consult with the Fire and Rescue Service. Although excellent relations exist between both parties less time is spent together visiting sites promoting safety and compliance awareness for both Building Regulations and the Fire Safety Order.

Consider the impact of self-certification (competent person's) schemes and their potential to dilute the overall compliance of the development with Building Regulations. Whereas under the previous regime a single Building Control Body had responsibility for determining compliance across a broad spectrum of projects and elements within a single development with an opportunity to develop a synergy toward compliance.

Q3 Roles & Responsibilities

Does the current system place a clear over-arching responsibility on named parties for maintaining/ ensuring fire safety requirements are met in a high-rise multi occupancy building? Where could this be made clearer? What would be the benefits of doing so?

Response

The role of the responsible person in relation to fire safety matters can be undertaken by a person of limited qualification and yet the complexity of the role and levels of responsibility can be underestimated.

For example the responsible person needs to ensure that their building remains safe and effective at all times but particularly during a fire event to preserve the safety of all those within.

There is a benefit in the use of a suitably qualified (and potentially registered) fire risk assessor in maintaining, appropriate fire safety measures in existing buildings and buildings post completion/final certification.

Presently the role of 'enforcer' of fire safety in high rise residential premises is spread between the Fire Authority and the local authority Environmental Health Department, often with a protocol or memorandum of understanding between the two regarding their various responsibilities.

Typically the Fire Authority will have responsibility for the common parts with no responsibility to enter the dwellings, whereas Environmental Health will have responsibility within the dwellings; however the safety of the occupants of the dwellings requires the sum of both parts to meet minimum standards to maintain fire safety, both within the dwelling of fire origin and for those people residing in adjacent dwellings reliant upon 'stay put' principles to remain safe.

There appears to be some confusion over the rights of free holders within existing high-rise residential blocks to be able to make adaptations within their home that might compromise fire safety standards, including changing their flat door to a potentially lower specification apparatus to the detriment of the overall premises fire precautions.

Q4 Competencies of key players

What evidence is there that those with responsibility for:

- Demonstrating compliance (with building regulations, housing & fire safety requirements) at various stages in the life cycle of a building;
- Assessing compliance with those requirements

are appropriately trained and accredited and are adequately resourced to perform their role effectively (including whether there are enough qualified professionals in each key area)? If gaps exist how can they be addressed and what would be the benefits of doing so?

Response

The Local Authority Building Control (LABC) offers a comprehensive training and qualification for building control surveyors and offers continuous updated to keep abreast of changes to the regulations. As a consequence, the LABC has become the industry standard for training not only for building control professionals, but also for planners, designers, architects, surveyors, house builders and developers.

A suite of LABC pathway training methods should be available to guide and support building control professionals for their assessment of professional competency. Practical training and experience would combine with academic qualifications and membership of a recognised institution for all building control surveyors. The LABC has developed an NVQ pathway for training and qualifications which should be considered as a minimum standard for surveyors.

In addition, Performance Standards were first introduced in July 1999 and revised and updated by the Building Control Performance Standards Advisory Group (BCPSAG) in June 2006. Most local authorities used these measures and LABC are currently developing a quality assurance methodology to ensure a standard level of performance for LA's with ISO 9001 compliance.

The professional institutes demand that professional maintain their CPD requirements.

Industry manufacturers regularly provide access to CPD courses – responding to industry demand to deliver high quality, easily accessible training for building professionals.

Evidence suggests that many people undertaking the role of 'responsible person' for fire safety have little training, awareness or understanding of their role.

Q5 Enforcement & Sanctions

Is the current checking and inspection regime adequately backed up through enforcement and sanctions? In particular

- Where does the regime already adequately drive compliance or ensure remedial action is always taken in a timely manner where needed?

- Where does the system fail to do so? Are changes required to address this and what would be the benefits of doing so?

Response

Building Control is one of the few regulatory services which is exposed to commercial competition from private sector providers.

Whilst enforcement and other non-fee earning services (such as dangerous structures, demolitions or safety at sports grounds) lie solely with the Local Authority, the fee earning service has been open to competition for many years.

Customers can therefore elect to use a private sector Approved Inspector (AI) to deliver a Building Control service but an AI has no powers of enforcement or obligation to provide non fee earning services. What sets Local Authority (LA) public sector Building Control apart is that it operates in competition and faces increasing pressure from AI's both in terms of competition for market share and staff resources.

This competitive nature of building control has resulted in a commercialisation of health and safety issues and a risk that standards of compliance may fall.

The fees charged by LA are regulated by the Building Control (Local Authority Charges) Regulations 2010 and stipulate that the charge set should reflect a cost recovery for the service whilst the AI charge is solely a commercial decision.

Local authority, public sector Building Control often has to compete to win work relating to major projects, where fee levels, issues of compliance or innovative building solutions are involved. Where compromises in building compliance are not sanctioned by the local authority, the work can be lost to the private sector, with a potential for new buildings to be developed that do not fully comply with the Building Regulations, for example in terms of lift provision within commercial premises. Such none compliance can materially disadvantage society and the community for many years to come.

Q6 Tenants' & Residents' Voice in the current system

Is there an effective means for tenants and other residents to raise concerns about the fire safety of their buildings and to receive feedback? Where might changes be required to ensure tenants'/residents' voices on fire safety can be heard in the future?

Response

High quality registered social landlords will already have systems in place to enable residents to report concerns or attend meetings to express their opinions regarding the premises where they live. Other less reputable land lords may not provide a

similar mechanism for consultation despite the availability of digital connectivity and social media.

However many local authorities will have multiple channel connectivity to enable concerned residents within their locality to express their opinion and make representation to the local authority. However to maintain public safety it would be necessary for the local authority to consult with the Fire Authority and take any necessary action to enforce fire safety standards.

Q7 Quality Assurance and Testing of Materials

Does the way building components are safety checked, certified and marketed in relation to building regulations requirements need to change? In particular:

- Where is the system sufficiently robust and reliable in maximising fire safety and, if appropriate
- Where specifically do you think there are weaknesses/gaps? What changes would be necessary to address these and what would be the benefits of doing so?

Response

An independent construction materials testing laboratory could be adopted with quality assurance with standards and accreditation by UKAS to comply with ISO management standard for testing and calibration of materials. The scope of sampling and testing methods should be based upon current British and European standards. A mandatory product marking scheme that distinguishes performance would assist in on-site control.

Clarity in the production of third party test certification to ensure clear precise communication relating to tested constructions to enable ease of awareness that a particular product has been tested appropriately and complied with Building Regulations, including all interrelated issues, such as the need to provide cavity barriers to rain screen cladding passing over compartment floors. Such certificates should promote attributes of the materials, outcomes of the tests and levels of compliance rather than being used as a means of marketing and promotion.

Q8 Differentiation within the current Regulatory System

What would be the advantages/disadvantages of creating a greater degree of differentiation in the regulatory system between high-rise multi occupancy residential buildings and other less complex types of residential/non-residential buildings?

Response

Presently guidance within Approved Document B II covers a wide range of building types including high rise building types. The provision of specific guidance (such as that offered for car parks and shopping malls) would assist in providing a greater appreciation of the complexities and issues of compliance for multi-occupancy buildings, high rise residential.

Equally other constructions of a complex or innovative nature would benefit from specific guidance.

A separate document might assist designers, contractors, building owners and building control professionals in choosing the most appropriate products and systems for these applications. In these types of buildings, the requirements often demand specifications that have performance levels that are more challenging than low rise buildings.

Q9 International Comparisons and Other Sectors

What examples exist from outside England of good practice in regulatory systems that aim to ensure fire safety in similar buildings? What aspects should be specifically considered and why?

Response

Many alternative means of achieving compliance and protecting building users are found around the world. Alternative themes often rely upon third party insurance models, or the role of local, regional or national government as enforcement agency.

Seldom is there an opportunity to provide choice and competition between enforcement agencies within a particular country or territory.

Q10 International Comparisons and Other Sectors

What examples of good practice from regulatory regimes in other industries/sectors that are dependent on high quality safety environments are there that we could learn from? What key lessons are there for enhancing fire safety?

Response

HM Government publish a wide range of guidance documents across a broad sphere of influence.

Much of the guidance is based on the provision of advice relating to best practice. The government also publish Approved Codes of Practice (ACOP's) and Approved Documents, that illustrate compliance with legislation, in alternative means.

Following the events of 14th June 2017, health and safety practitioners have expressed surprise at the loose and flexible nature of Building Regulations and Approved Documents.

Whilst this functional approach and flexibility of solution is welcomed by the building industry, it can create difficulties in communicating the need to maintain standards to ensure compliance with Building Regulations to achieve safe, effective and sustainable buildings.

Previously, Approved Documents contained a more robust caveat regarding the benefit of following the guidance within the Approved Document to safe guard against the risk of prosecution for failing to meet Building Regulations. Whilst the current levels of flexibility may be desirable, it would be beneficial to clarify the burden on owners, designers, contractors and others to meet and assure compliance with Building Regulations.

Calderdale Metropolitan District Council

Halifax Town Hall

Appendix 2

Together Housing Group Resident Engagement

Public Views and Comments

There were 11 drop in sessions arranged for the occupants of the 13 tower blocks on top of the five drop ins arranged for residents in the tower blocks at Mixenden. These sessions were arranged by THG and attended by THG staff from Repairs, Compliance and Housing Management Teams, the general feedback has been very supportive with residents readily acknowledged and appreciated all the improvements that had been undertaken to improve fire safety.

'the majority of people feel safe in their flats and there have been no issues or concerns raised by the residents hence the lack of attendance today'

Mr K

'there were no issues and I feel safe living in the block'

Mrs S

Feedback from drop-ins in Calderdale and Blackburn (two sessions that focused on three tower blocks in Blackburn) has been analysed and arranged into sixteen categories – these are listed in the table below with the most common categories appearing towards the top of the list. The category defined as “No fire related queries asked – or the participant was silent” was associated with just over 50% of all attendees.

Category	Example quotes and/or notes
No fire related queries asked – or the participant was silent	Questions raised about service charges, rent and neighbours disputes
Clarification requested (on current safety measures)	Is there a dry riser and what would happen is a car was badly parked and blocked the route for the fire service)
Housekeeping	Why it is important to keep communal areas free of clutter and how to remove household and large items of rubbish
Adjust flat entrance door to flat (not closing tightly into it frame)	All have been processed
Suspected hoarder	All have been processed
Insulation concern	What about other types of cladding that has been applied?
Mobility vehicle	“Why can't I store it in the communal space – it isn't in anyone's way”
Oxygen user	Why do the Fire Service need to know this?
'Stay Put' policy reinforced	With justification and reasoning applied

Category (Contin..)	Example quotes and/or notes
Vulnerable resident - would not confidently be able to negotiate stairs	Added to a master list that will be shared with WYFRS
WYFRS home visit requested	All have been processed
Bin enclosure query	This item was raised once and has been processed
Concern about neighbour and their drinking habits	This item was raised once and has been processed
Fire escapes - request to introduce a secondary means of escape	This item was raised once. It was suggested that an external (and additional) fire escape be introduced. The practicalities of this was discussed
Improve fire safety advice	Specific to a scheme at Blackburn. Have agreed to work with residents to process (and distribute) this leaflet
Smoke detection coverage	Specific to a flat in Blackburn

All demands for action have been processed and will be managed through to completion.

Social media uploads continue to be identified and managed by THG Communications Team.

APPENDIX 3

Registered Housing Provider Statement Positions

Although Calderdale Council is no longer a stock holder it still has responsibilities to ensure residents are safe within the borough. The Council meets regularly with Registered Providers (RPs) in Calderdale. Two key contact groups are identified below:

a. Calderdale Housing Association Liaison Meetings (CHALMs)

This is a quarterly meeting led by Housing Services in the Council whereby Housing Officers from Registered Providers (RPs) and key services in the Council (such as Community Safety, Revenue and Benefits, Homelessness Services, Strategic Housing) meet on a quarterly basis to discuss current national and local priorities. This generally involves topics that directly affect RP tenants such as welfare reform, anti-social behaviour, mental health and changes to operational front line services. All RPs with social housing stock in the borough are invited to attend this meeting and is chaired by the Service Lead for Environment and Housing.

b. Registered Provider (RP) Executive meeting

This is a quarterly meeting led by Housing Services in the Council whereby Senior Management from Registered Providers (RPs) meet on a quarterly basis to discuss current national and local priorities. This generally involves topics that directly affect funding and new build development programmes such as government grant funding programmes, welfare reform, fire safety and best practice. All RPS who are actively developing or seeking to develop social housing stock in the borough are invited to attend this meeting and is chaired by the Service Lead for Environment and Housing.

The following position statements were provided by those organisations present at the RP meeting on 11 July 2017, and updated subsequently (update identified in italics):

1. Connect Housing

Connect Housing has confirmed they do not have any cladded properties within Calderdale, however, they do lease a building in Leeds city centre which is currently at the stage of testing.

They undertake robust fire risk assessments which have been reviewed, along with their evacuation and sprinkler policies. There are a number of estate officer roles out for recruitment in order to increase the number of walkabouts carried out and explain what policies are including stay put.

A particular issue experienced is when equipment such as bikes and mobility scooters are left in communal hallways posing a fire risk issue. Moving forward Connect are looking to put specific storage in place to avoid this situation however it

is complicated as residents are often reluctant to use these spaces.

Within Calderdale Connect own Heatherstones Court Intermediate 24/7 Care scheme which is a 2 storey block building where there are vulnerable people with mobility issues, Connect are working with the NHS on refining the procedure of evacuation if a fire were to occur within the building. The premises are fitted with mist suppression.

2. Stonewater

Stonewater does not have any property that falls into the high risk category in Calderdale. Fire Risk assessments are up to date and fire testing undertaken, the organisation is currently looking at sprinkler systems.

They are reviewing arrangements at their sheltered and supported schemes which may be at a lower level but nevertheless consist of up to 4 floors. Each of its priority schemes, has been personally visited on 15th June to check FRA arrangements and offer reassurance to residents. The reviews cover evacuation policy, exit routes, fire equipment, alarm systems and emergency lighting, along with any other related aspects particular to the site. Where necessary, further follow up visits will be arranged as a matter of priority by specialist contractors.

Within retirement living schemes there has been a focus on evacuation and explaining the 'stay put' policy and when it is necessary to implement this.

In relation to mill conversions, they do have one - Valley Mill in Elland that is managed by a management agency. This is also run by residents so therefore quite proactive. Fire alarms and the evacuation policy have been checked with the company.

Stonewall operates in 144 local authority areas. Nationally Stonewater has one block with similar cladding to that used to clad Grenfell Tower. Overall a task force is in place to look at the whole of fire safety throughout all stock as there are some inconsistencies with the frequency of fire alarm testing.

Stonewater has written to residents in these schemes to provide assurance that they are doing everything possible to ensure homes are safe and their procedures robust, in terms of fire risk.

They have also written to Kensington and Chelsea Council to offer their support and their independent charitable arm – the Longleigh Foundation – is looking at how they may assist displaced Grenfell residents.

3. Together Housing Group

CMBC, WYFRS and THG have been working closely with each in relation to a number of high rise blocks within Calderdale where the cladding test had failed. For

further information please see earlier update under High Rise Blocks.

4. Yorkshire Housing

Although Yorkshire Housing have a minimal number of blocks which are over six storeys they don't have any high rise. None of their properties have cladding similar to Grenfell.

They have invested significantly on new fire safety improvements - spending £5million over the last five years.

Following Grenfell fire risk assessments have been reviewed YH have actively been visiting supported living accommodation to look at evacuation and the stay put policy. They have also updated their website with Q&As and using social media to engage with their tenants.

A recent action they have taken following Grenfell is setting up a fire emergency response team within Yorkshire so if any emergencies arise there is a dedicated list of people that will be notified and take any appropriate action.

Position statements received from other registered providers are also included below:

5. Accent

Accent does not have any properties in Calderdale or the Yorkshire region that are of concern.

It has undertaken Fire Risk Assessments (FRA) in all its premises that are covered by the Regulatory Reform (Fire Safety) Order 2005 and implemented appropriate controls, carried out remedial works identified in the FRA inspections, and ensured that they have emergency evacuation arrangements that are appropriate to the individual buildings.

Fire risk assessments are reviewed at a frequency that reflects the level of risk. Premises that they class as high risk include Independent Living Schemes (sheltered housing), supported housing, general needs blocks of more than floor floors (including inhabited basements), building converted from other uses, HMOs and shared houses with communal kitchens/bathrooms, and commercial premises such as offices. These are inspected and the FRA reviewed and updated annually.

Other premises are inspected and the FRA reviewed every 3 years, however they are currently reviewing the FRAs for their 4 storey blocks regardless of when they were last undertaken.

Where they have fire alarms, emergency lighting systems and fire-fighting equipment they arrange for these to be tested and serviced regularly, this is monitored to ensure that no tests or services are missed.

Guidance to tenants and residents about what to do in the event of a fire is based on the type of premises and level of fire protection.

6. Hanover

While Hanover does not have any high rise tower blocks in Calderdale, they have however, undertaken a review of fire safety at their properties as a matter of urgency. The investigation has included looking at whether there has been exterior cladding used on any of their buildings which may have been similar to that used at Grenfell Tower. The initial analysis shows that rather than ACM being used, they have predominantly used rendered fire resistant insulation and fire resistant cladding instead.

Following Grenfell, Hanover has looked to reassure their tenants that they have robust fire safety procedures in place and provided reassurance that they take the utmost care to ensure such an incident is not possible. Regular tests and servicing is conducted for all fire related equipment by both staff and qualified contractors. In addition to this all Hanover staff receive comprehensive training in fire safety awareness and what to do in the event of a fire, something which is refreshed annually.

Hanover regularly carries out stringent Fire Risk Assessments (FRA) at relevant properties. These FRA's are conducted by fully trained and validated Fire Risk Assessors.

7. Home Group

Home Group has no properties of concern within the Calderdale area. Nationally Home Group is legally responsible for some tall buildings. All of these buildings have been inspected and none of these buildings contain ACM.

Home Group leases some flats within tall buildings outside of the Calderdale area that were found to contain areas of ACM on parts of the external cladding. They and the other tenants within the properties have been in contact with the Management Company/Freeholder and all now have bespoke fire strategies/procedures in place, approved by the relevant local fire authority, enabling the properties to remain operational.

8. Horton Housing

Following the Grenfell Tower tragedy Horton Housing has considered its fire safety

policies and procedures which have been found fit for purpose. They have reviewed their stock and confirmed they do not have any high-rise blocks. Horton Housing has one building (in Bradford) which does have cladding, a report from the architect confirmed that this type of cladding does not pose a fire hazard.

9. **Mosscaire St Vincents Housing (MSV)**

MSV do not have any buildings which fall within the remit of the DCLG (Department for Communities & Local Governments) request for specific testing on buildings over 18 metres.

In order to provide assurance MSV have complied with the request and provided samples of all buildings to BRE as requested under the DCLG requirements, which have any type of cladding be it ACMs (Aluminium Cladding Materials), render or screening to all identified buildings. These are domestic dwellings and Sheltered type accommodation. No current safety concerns have been raised with their stock.

To ensure they are not creating any potential future issues MSV have taken the position on any refurbishments and developments to ensure potential risk areas are designed out and alternative solutions are employed.

St Vincent's self reported in summer last year that an internal audit had uncovered a number of actions from Fire Risk Assessment reports that were incomplete. The association worked closely with the regulator to provide the assurance required which lead to the association regaining its G1 status in January 2017. As a result of the issue St Vincent's undertook a thorough root and branch review of policies and procedures and since its merger to form Mosscaire St Vincent's Housing a further Fire Risk Audit has confirmed substantial assurance.

10. **Sanctuary Housing**

Sanctuary Housing does have any properties of specific concern in Calderdale. Sanctuary Housing has carried out detailed reviews of the Fire Risk Assessments and safety features at all their tower blocks. Checks have been made to ensure all fire risk assessments have been carried out, are up-to-date and that any required actions have been completed for all the blocks. The checks have been supported by visits to blocks – including by the Fire Service.

Sanctuary Housing has also written to and spoken to residents to explain the actions they are taking and reminding them of the relevant evacuation strategies and procedures. Residents have been reminded that they can play a part in keeping their homes and themselves safe by keeping walkways clear of obstructions, adhering to any fire prevention advice in their blocks (such as keeping fire doors closed), ensuring that any of their own electrical equipment in their homes is safe to use, and ensuring they regularly test all smoke alarms within their homes.

Health and Safety Strategy 2017 – 2020

Fire Safety

Existing Fire Safety Standards and Arrangements

1 General

- The Council has a clear Fire Safety Policy approved by Cabinet which outlines the commitment to fire safety and covers all the main statutory requirements required by the Fire Safety Regulatory Reform Order (FSRRO).
- The Council employs four Safety Advisers who have a monitoring and advisory role on fire safety management but they work closely under the guidance of the Building Control Manager who is a Member of the Institute of Fire Engineers which is an extremely high level of competence. This relationship is entirely good will but essential to the Health and Safety team.
- The Fire Safety Policy was reviewed by Members in November 2016 and the Policy states:-
 - All new residential properties or existing residential properties subject to the Fire Safety Order that become unoccupied for refurbishment (or any other reason) are fitted with an automatic fire suppression sprinkler system (for Commercial premises BS 12845:2004 inc A2:2009 or Residential Premises BS 9251:2005).
 - In accordance with agreed policy and concordat the Local Authority will consider providing sprinkler installations to provide automatic fire suppression (to BS 12845:2004 inc A2:2009) to all newly built schools, major extensions and works of significant refurbishment.
- At July 2017 twelve buildings in the corporate estate (including Community schools (6)) have automatic water fire suppression systems, another six Council buildings are in the process of being fitted with Sprinkler systems. Sixteen Academies are known to have automatic water fire suppression systems. A number of other Council buildings have additional gaseous and other specialised specific fire suppression systems for hazard areas identified by risk assessment.
- The majority of our corporate buildings have either L1 or L2 standards which means they are fitted with comprehensive automatic fire detection and alarm systems significantly higher than that expected by building regulations.
- The majority of our significant buildings have had substantial investment in fire safety standards to protect occupant safety in recent history.
- This Council has two fire safety concordats with the Fire Service which are signed off by legal and Directors ensuring we are committing Calderdale MBC to maintain high standards of fire safety throughout the corporate and educational estate.

- The Council's third party commissioned residential care providers are managed by the contract team who provide updates on fire safety, an annual self-assessment audit which the health and safety team monitor
- The Council's only CMBC elderly residential property Ferney Lee has comprehensive fire precautions supplemented by automatic fire suppression.
- The Shay Stadium as our largest building with an occupancy in excess of 10,000 people is subject to additional rigour on fire safety and monitored very closely by the safety team and Mike Terry who is coincidentally the Chair of the Shay Stadium Safety Advisory Group and the venue is also now managed by a fully qualified health and safety officer and former member of the Council's Health and Safety Team.
- All Managers and delegated employees with fire safety responsibilities receive training on fire safety and many staff access the additional e learning fire safety modules. The detail is recorded every year in the annual safety report.
- With respect to CMBC residential sleeping accommodation we have no cladding on the exterior of buildings which would increase risk. However there are two buildings in the corporate estate that will have their cladding reviewed but these two buildings the Shay Stadium and King Cross Library are not a concern and do not contain Aluminium Composite Materials .
- Work with fire wardens, completing fire drills, testing alarms, "evac" chairs and training will continue as normal. Extensive fire safety training records for the last 10 years are held by the Health and Safety Team.
- Calderdale MBC do not have any statutory duties for high rise housing in Calderdale which rests with Together Housing.

Please note from the date of Grenfell and to this date 10th of July 2017 the safety team and the Building Control Manager (Mike Terry) have already done a comprehensive assessment of fire safety management at Ferney Lee, North Bridge Leisure Centre, Heatherstones, the flats at Battinson Road and Clay House as standard operational works and this normal work programme will continue.

2 Existing Fire Risk Assessment Arrangements

- The Council has its own comprehensive fire risk assessment documentation and fire register both of which were the subject of consultation with the fire service prior to implementation.
- The Council also has comprehensive documentation and guidance to supplement the above including for example specific advice and procedures covering those with disability.
- All office and public buildings are well managed and covered by comprehensive fire risk assessment.

- All residential property with clients also have fire risk assessment and a combination of fire precautions together with 24/7 staff cover and some of our key buildings are additionally are fitted with automatic water fire suppression (sprinkler or mist).
- All Managers with responsibility for fire safety are required to assess their fire safety arrangements annually.
- Monitoring of fire risk assessment quality and standards is completed by a number of officers. The Building Control Manager, Health and Safety team, the Environmental and Quality Control Officer whilst CAFM Area Facilities Officers assist in completing the fire risk assessments and monitor standards on site.

Fire Safety Planning and Priorities 2017 - 2020

Phase 1 - Capacity

- Upskill existing fire safety competencies in Health and Safety team i.e. NEBOSH Fire and Risk Management Certificate. Training arranged for November 2017. (This was booked prior to the Grenfell Disaster)
- Weakness identified recently re quality of fire risk assessments signed off by Area Facilities Officers (AFO) to be addressed. Recommended solution being the employment of a Building Control surveyor with additional higher level fire safety competencies to advise on design and sign-off of all fire risk assessments undertaken by Area Facilities Officers (AFO). Post within Building Control. Consultation with senior management, members and HR required. Role Profile and VRG application being created.
- Upskill AFO's and site contacts to IOSH "Fire Safety for Managers". Accredited training we could deliver in house through our existing IOSH Licence (1 day).

Phase 2 - Scoping

- Identification of all external care providers and partners.
- Identification of commissioned low/high risk premises providing residential, care or educational facilities where joint visits by Calderdale's commissioning service team and health and safety or Mike Terry would be beneficial.
- Identification of all sleeping accommodation within the Calderdale estate e.g. Flats, Markets, Clay House etc.
- Identification of all CMBC children's homes and residential premises.
- Establish agreement on fire safety actions and assurances required for Schools by liaison with the Schools Safety Adviser and Director of Adults and Children's Services with specific respect to academies and other schools not managed by CMBC.
- Ensure we have identified all buildings with any type of cladding and establish no risk.

- Identify all training records for staff re fire safety awareness and organise appropriate and proportionate training where necessary for all staff and fire wardens re evac chair training, fire extinguisher training, awareness etc.

Phase 3 – Sleeping risk

- Ensure all commissioned adult services nursing homes and other day care (66 in total), have completed their health and safety self-assessment on line audit which is part of their contractual agreement. Health and Safety to check all submissions self declare all fire safety matters in place. See appendix A
- Ensure all commissioned mental health and learning difficulty residential providers have completed their fire risk assessments and are following all FSRRO guidance and they are complying with their contractual agreements on safety.
- Ensure all care providers are issued with FSRRO guidance applicable for their accommodation.
- Liaison with fire service regarding arranged briefings for care providers re commission/contract. Ensure all our partners understand their responsibilities.
- Mike Terry and Martin Allingham to assess and visit all corporate estate where necessary for all sleeping risk managed by Calderdale Managers.

Phase 4 – Corporate Estate

- Review suite of fire safety documentation, including risk assessment and fire register.
- Circulate the fire safety audit to all managers with any responsibility for fire and assess response.
- Martin Allingham, Mike Terry and Alan Lee to interview all AFO's and site contacts regarding fire safety management.
- Martin Allingham and Mike Terry to assess and prioritise where further inspection is required and work through the estate in a proportionate manner.
- Identification of all properties - H&S team to visit all Calderdale premises on a rolling programme through 2017/20.
- Ensure that fire safety arrangements and Fire Risk Assessments are adequate in all Community Schools in liaison with Schools Safety Adviser who is employed by Director of Adults and Children's Services.
- During review to pay specific attention to PEEPS to ensure they are all adequate and fit for purpose.
- CAFM Area Facilities Offices to work with occupying services to create fire plans of each and every CMBC Corporate Premises.

Phase 5 – Fire Safety Policy Review

Consideration will be given by to a review of the current Fire Safety Policy, to consider future minimum standards for fire safety and access for all new buildings and acquisitions. Examples might include: minimum category L2 automatic fire detection and alarm systems incorporating autodial to the fire

brigade, provision of alternative escape routes, installation of evacuation lifts and provision of automatic water fire suppression systems.

Where premises are built or acquired without meeting the potentially agreed standards as suggested above, their omission should be subject to risk assessment documentation by project managers signed off by the Service Director.

This review of Policy and any recommended additions to Policy based on proposals above will be subject to reports made to CLT and Cabinet approval.

3.5 Phase 5 – Fire Safety Policy Review

Consideration will be given by to a review of the current Fire Safety Policy, to consider future minimum standards for fire safety and access for all new buildings and acquisitions. Examples might include: minimum category L2 automatic fire detection and alarm systems incorporating autodial to the fire brigade, provision of alternative escape routes, installation of evacuation lifts and provision of automatic water fire suppression systems.

Where premises are built or acquired without meeting the potentially agreed standards as suggested above, their omission should be subject to risk assessment documentation by project managers signed off by the Service Director.

This review of Policy and any recommended additions to Policy based on proposals above will be subject to reports made to CLT and Cabinet approval.

9 FIRE SAFETY AND EMERGENCIES

- | | |
|--|---|
| 31 Has a Fire Risk Assessment been completed (or reviewed) by a competent person, for the premises in the last 12 months? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 32 Are all fire doors in good condition and signs affixed to "Keep Closed"? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 33 Are all emergency doors and crash bars in good condition? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 34 Can you confirm you have adequate arrangements and staffing levels to ensure a safe emergency evacuation at night? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 35 Are all doors, corridors, staircases/landings, alleyways and walkways kept clear for easy access / egress? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 36 Is there adequate fire fighting equipment on site, is it regularly maintained, is it correctly positioned and records kept? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 37 Are there sufficient numbers of employees on site who are nominated and trained in the use of Fire Fighting equipment? Note: This is a legal requirement of the Regulatory Reform (Fire Safety) Order (RRO) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 38 Is there an Emergency Evacuation Plan in place, which is displayed appropriately throughout the building, and are all staff aware of the procedures in the case of fire? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 39 Has a Personal Emergency Egress Plan (PEEP) been designed for all people with special needs or disabilities to ensure they can evacuate in an emergency? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 40 Are all fire alarm and emergency lighting systems adequately maintained? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

Appendix A

APPENDIX 5

CAFM Corporate Premises - Fire Safety Review Action Plan

Ref	Lead Officer	Location	Proposed Action	Current Position	Timescale
Planned Work					
1	Shaun Tordoff	Halifax Borough Market	Sprinklers to be added to Market Street Residential Units. Two units void/one unit occupied by Member of Market Staff	Brief being prepared to instruct Consultant (recently appointed) to design the system progress project M & E Designer. The two void units to be cleared of stored materials.	On site following completion of roof works Summer 2018
2	Shaun Tordoff	Heatherstones	Installation of sprinklers ; Interim actions in place to manage	Brief being prepared to instruct Consultant (recently appointed) to design the system progress project M & E Designer	Autumn 2017
3	Shaun Tordoff	Clay House	Demisters to be installed in one occupied flats (one flat to be vacated) due to location of kitchens impacting on single escape route	Small works can be done on a normal order. Asked for a quote.	01/09/2017
Review Undertaken following Grenfell Fire					
4	Elaine Wynne	General	Review CMBC building responsibilities no high rise blocks with added Cladding	No buildings that have been over clad. All the buildings with cladding were designed as such from the start.	No action required
5	John Catanach	General	Review buildings with cladding. The cladding at Kings Cross library is Trespa which is a fire rated manufactured board. The cladding at the Shay and the sports centres (Brighthouse/Sowerby Bridge) are composite panels i.e. two metal skins with a core of insulation. We will have the technical information for these on each site.	Review technical information to identify any issues	04/08/2017

Calderdale Fire Safety Review | 2017

6	Elaine Wynne	Units where people sleep	Initial review to confirm all have staff sleeping in and/ or have a sprinkler/ appropriate grade fire alarm.	Martin Allingham /Mike Terry to inspect all premises in priority order to confirm position and/or make recommendations re improvements/alterations	31/12/2017
7	Elaine Wynne	Other Units	Initial review no immediate concerns identified	Martin Allingham /Mike Terry to inspect all premises where people sleep over in priority order to confirm position and/or make recommendations re improvements/alterations	30/08/2018
8	Elaine Wynne	Fire Risk Assessments	Reviewed to ensure all up to date June 2017		Complete /Ongoing
9	Elaine Wynne	Fire Risk assessment Form	Reviewed and suggested to Mike T that each year the AFO/Site contact should write a summary of the review rather than signed to confirm no changes and as last year.	Mike to implement as part of a review of the risk assessment: also include a new form that all need to start using on next assessment.	01/09/2017
10	Alan Lee	Review of AFO process and Fire Risk Assessments	Meetings to be set up with all AFO's/Alan Lee/ Mike Terry/Martin Allingham to confirm the position regarding the buildings they look after	Required training to be arranged for AFO's/Site Contacts etc. (H & S to obtain qualification to train Fire Safety IOSH one day course)	01/09/2018 asap
11	Elaine Wynne	Reinforce requirements re compliance	Learn from issues raised during inspections and ensure apply to other buildings	Item on FM Team Meeting 25th July 2017	25/07/17 & Ongoing
12	Elaine Wynne	Fire Stopping	Identified as an issue for Corporate Estate	Identified as part of inspections/reviews and need to ensure part of briefing re all works undertaken	Ongoing

Calderdale Fire Safety Review 2017

13	Elaine Wynne	Sprinklers	Requirement installed when premises where people sleep over are refurbished or new	Included in standard briefing document and a Council Policy	Ongoing
14	Elaine Wynne	Sprinklers	Review requirements re maintenance contract/weekly checks	Mike T providing advice/liasing with insurers and contractor to confirm required action /any training	Sep-17
Identified Works					
14	John Catanach	Clay House	Works identified as part of a survey prior to Grenfell	Priority works to fire alarm complete, Mike T referred access issues to fire brigade who will manage and other works being confirmed specified.	Sep-17
15	Richard Young	Battinson Road Residential Units	Works identified following Fire Safety Inspection	Works to be confirmed and specified	Sep-17
16	Elaine Wynne	Resources : Funding	Need to identify/bid for funding to undertake all works identified	Raised with Alan Lee/ Mark T . Potential report to EIP	Sep-17
17	Martin Allingham	Resources : Fire Specialist	Corporate H & S have identified a need to reinstate the post of Fire Officer within Building Control	Being considered as part of Calderdale MBC report re Fire Safety	Sep-17

Emergency Plans and Guidance

Calderdale Council Plans/Guidance	
Calderdale Council Emergency Incident Plan	This plan details procedures for both minor and major incidents, including the strategic arrangements for the Council
Rest Centre Guidance & Rest Centre Plan/Portfolio	This guidance and Plan identifies centres to be used and sets out the procedures for opening and maintaining them during any incident which involves an evacuation.
Calderdale Recovery Framework	This framework sets out the considerations for the council during recovery phase of any emergency incident
Emergency Communications Protocol	This Protocol outlines the procedures to be used in communicating with the public and staff during an emergency incident.
Calderdale Council Excess Deaths Plan	This plan outlines the arrangements for the temporary storage of bodies when the capacity of Calderdale Council's Funeral Services is exceeded due to the high fatality rate during pandemic periods or similar situations

Multi Agency Plans/Documents	
Emergency Assistance Centre Plan	This plan deals with the arrangements for the establishment of emergency (humanitarian) assistance centres – “drop in” centres for those affected by an emergency where they can obtain advice and information. The Plan sets out the various organisations that will be represented.
West Yorkshire Resources List	This list comprises of all resources held by the five local authorities within West Yorkshire and callout arrangements in place for supermarkets.
West Yorkshire Strategic Mass Fatalities Plan	This Plan outlines the arrangements for the activation and management of a temporary mortuary following a major incident with multiple death ie transport accident, explosions.
Evacuation CONOPS	This document outlines the roles and responsibilities of all agencies involved in the evacuation process. It is a generic document suitable for reference purposes when developing site specific contingency plans

APPENDIX 7

DODGE HOLME COURT CASE STUDY - The Council's role as a regulatory authority

Background

Dodge Holme Court is one of the four remaining blocks of high rise flats built in Mixenden and the only one in North Halifax in private ownership.

Sold to a private buyer in the 1980's the freehold and leaseholds of several of the flats changed hands a number of times, eventually passing to Stayton Property Investments Limited in June 2003 with a mortgage from the Nationwide Building Society as a charge on the freehold and all but 15 (owned by other individuals) of the leaseholds of the flats.

On the 2nd June 2009 the Nationwide Building Society appointed UHY Hacker Young Manchester LLP as Receivers under the Law of Property Act 1925 following the alleged non-payment of the mortgage repayments by Stayton to the Nationwide.

In July 2009 officers from Calderdale Council's Environmental Health Services and West Yorkshire Fire and Rescue Service visited the building to assess whether it met with fire safety requirements. At this time major concerns were raised by the Fire Service regarding fire safety issues at the building which they described as a serious and imminent risk to both the residents and fire-fighters.

A meeting with Housing Services, Environmental Health Services, Legal, Police and West Yorkshire Fire and Rescue Service was held to determine the most appropriate course of action. The principal options under the Housing Act 2004 were to either serve an Improvement Notice on the owners to carry out the required works or to serve a Prohibition Order to prevent people living in the block until the works had been carried out. A Notification of Entry to Premises letter was served immediately by Calderdale's Environmental Health Services on all owners and residents in preparation for either course of action.

Following discussions with the Receivers it was clear that the works would take several months to complete. It was agreed that this would leave residents, in the opinion of Fire Officers, at an unacceptably high risk and therefore it was decided that Calderdale Environmental Health Services would serve an Emergency Prohibition Order to remove residents immediately. The actual order would take a few days to prepare, giving Housing Officers a little time to prepare residents for the news. An Emergency Prohibition Order was served under the Housing Act 2004 Section 43 on Dodge Holme Court, Mixenden on 30th July 2009.

Partnership Action taken

Housing staff were aware that there were residents in Dodge Holme Court who were vulnerable, elderly, in receipt of support, known to the Police etc. Because of this a

controlled evacuation was planned: this included moving households straight to housing suitable for at least 6 months rather than to an interim emergency setting such as a sports hall or similar.

The Council worked with a wide range of partners when dealing with the closure of the building. A small project team was set up to manage the process, led by Housing Services. This group included colleagues from: Environmental Health Services; local RSL landlord; West Yorkshire Fire and Rescue Service; West Yorkshire Police; Adult Services; Housing Benefit Service; Pennine Housing (2000) Limited; and the Ovenden & Mixenden Initiative (a third sector neighbourhood management organisation, based near the flats). The Council also worked with private sector landlords and local contractors: Gearshift Removals who assisted with moving residents to their new homes; and Gardner Carpets, who provided new carpeting for residents who needed it. The costs of removals and carpets were covered by the Council on a discretionary basis.

The project team was offered office accommodation at the local Ovenden & Mixenden Initiative Office, which had access to the Council's IT system. Some of the team were based at the office throughout with staff working over the whole weekend.

The Police gave assistance in carrying out risk assessments of the residents known to them in terms of visits from officers and risks to new neighbours.

A large number of staff from different sections and various partners initially visited residents to alert them that they would have to move out in the next few days and to establish:

- Who lived in the building (some information contributed from Council Tax, Benefits and land registry)
- What their accommodation and support needs were as well as restrictions to rehousing
- Financial circumstances
- If they had anywhere to stay
- On-going contact details for when they moved

Owners of flats were also contacted to let them know what was happening. RSLs were asked to identify any empty properties they had available and the Council approached private landlords in the area to look at their vacancies. Officers then began the process of matching clients to properties. Out of the 46 households moved out of Dodge Holme Court:

- 38 moved into stock transfer RSL Pennine Housing (2000) Limited properties
- 7 moved into private rented accommodation (most arranged by the Council)
- 1 moved into a Yorkshire Housing property

A number of residents needed assistance with packing and the actual move and

colleagues from Adults Services and Housing Services staff were made available to help those who needed additional support. A number of residents were identified as needing support (for example, an older person who needed sheltered accommodation and a family who needed housing related support to manage their home) – and these previously unidentified needs were addressed and support put in place. Needs for adaptations were also picked up and passed to the Accessible Homes Agency and Handyperson service.

As some of the project team were based in the local office they were able to be responsive to residents needs and a team of officers were able to visit residents and deal with their problems immediately. The office base also had a “free phone” which residents were encouraged to use, to get their gas & electricity on.

Follow-up work

The project team contacted all residents once they moved to ensure they had no problems. All residents’ applications for housing benefit are being processed as a priority and new addresses have been given to Council Tax and Yorkshire Water for them to update bills and records.

The first edition of an ex-residents newsletter was sent out, and further editions followed keeping residents informed of developments relating to the closure of the block, as well as useful information about where to get further advice and help.

The Fire Authority and Council undertook inspections of other high rise blocks in 2009/10. It was found that the other blocks in the Borough were in much better condition than Dodge Holme Court with relatively minor issues requiring some limited work. The inspections were carried out in response to the responsibilities under the Regulatory Reform (Fire Safety) Order 2005 and the protocol between West Yorkshire Local Housing Authorities & West Yorkshire Fire and Rescue Authority – Improving Fire Safety in Existing Residential Accommodation.

The building was made secure/boarded off whilst the Council awaited a decision by the Receivers about whether they would carry out the repairs or sell the block.

Leaseholders were put in touch with the Receivers and were advised to seek specialist legal advice initially through the Citizens Advice Bureau as some residents were financially disadvantaged.

On engagement the vast majority of residents stated they did not wish to return to their former homes and were much happier in their new home. All residents’ moves were arranged by the Council, as was carpet fitting where required.

One 72 year old resident (not the oldest client!) stated: “I was shocked when I was told I had to move, I had lived there for years. But now, I love my new home and I’ll never move back. The service I received was impeccable and I can’t praise you enough”.

WYFRS High Rise Fire Incidents 2017

APPENDIX 8

Halifax flat fire 30 April 2017 at 03:39 Location: Lister Court, Chapeltown, Hx
Fire on 11th floor of high rise block of flats with reports of person still in flat. On arrival crews found 1 female unconscious in property and a snatch rescue was carried out to rescue the casualty, crews then used 2ba to investigate cause of fire which proved to be burnt cooking and used a high power fan to clear the flat of smoke. The casualty was then transported to hospital by ambulance. Pumps from Halifax, Illingworth and Rastrick attended along with Aerial from Leeds
Highrise Flat Fire Leeds 25 August 2017 at 18:15 Poplar Mount, Bramley,
Highrise flat fire on 9th floor, small fire involved in the cooker. Male occupier aged 29 years suffered slight smoke inhalation, he was treated on scene by paramedics. The fire did not spread beyond this flat and was confined to the cooker. Appliances from Stanningley, Leeds and Hunslet attended
High Rise Incident – Keighley 12 August 2017 at 13:57
Bin Chute involved on first floor of building, 1 Aqua pack used to fight fire, fire confined to bin chute, Fire appliances attended from Keighley, Illingworth, Bingley, Shipley and Aerial Appliance from Bradford. This number of appliances are the pre-determined attendance for such an incidents and are mobilised as a precautionary measure
High-Rise Incident – Bradford Area 11 August 2017 at 00:05
Crews were mobilised to a 6th floor high-rise flat with reports of a light socket on fire. On arrival crews isolated a dimmer light switch which had shorted out in the kitchen/living area. Crews checked the area for any fire spread and gave advice to the resident and security personnel on site. 6 pumps and 2 combined aerial rescue pumps attended the incident as a precautionary. Crews completed a home fire safety check and fitted a smoke detector in the flat.
Building fire make pumps 15 - 09 August 2017 at 02.12 Location: Game, Southgate, Halifax
UPDATE: 10.00 hrs August 9 Fire was out by around 04.30 hrs and incident scaled back. Two fire engines and aerial appliance remain at scene. Fire Investigator attending to look into cause. Road remains closed at this time.
Call received from security company to a fire alarm actuating at a Halifax Bank. Upon arrival crews made pumps 2 as smoke seen from the roof of Poundland. This was then made-up to make pumps 5 and 1 aerial. After a couple of minutes this was increased to make pumps 8 and 2 aerals. After another couple of minutes this increased again to make pumps 15 and 3 aerals. Building fire 4 storeys – 3 storeys involved. Fire jumping from unit to unit. Location of fire 3rd and 4th floor. 40% involved, exposure risk to 2 sides. 6 large jets and 2 ba in use. Appliances from across the brigade attended along with various specialist officers.
Flat fire – Bradford Area 02 August 2017 at 18:19 Grantley House, Garsdale AV
Fire located in a 3rd floor flat, extinguished using 1 hose reel, 2 breathing apparatus and positive pressure ventilation fans. Ambulance was requested for pre cautionary check up for an adult female suffering effects of smoke inhalation. Crews from Shipley and Bradford attended. Smoke detectors had actuated in the property.
Flat fire – Batley Area 26 July 2017 at 03:20 The Jubilee Mill, Blackeridge Lane
Kitchen fire in a 3rd floor flat extinguished using 2 breathing apparatus, 1 hose reel and positive pressure ventilation fans. Appliances from Dewsbury and Cleckheaton attended. Smoke detectors had actuated in the flat which alerted the occupier to the fire.
Highrise Incident –Leeds 22 July 2017 at 19:34
Reports were received of smoke from a bin chute on the eighth floor of a high rise building. Five fire engines and one aerial ladder were sent as a precautionary measure. A small fire was located in the bin chute at ground floor level and was extinguished. Crews used a high-powered fan to help clear smoke from the building
High-rise Incident in Leeds 20 July 2017 at 19:31
999 call from a resident at Marlborough Towers, Park Lane at Leeds. The caller reported that there was smoke coming from a flat on the 15th floor. Following further questioning it was ascertained that the fire was contained within a flat on the 15th floor. On arrival the pre determined attendance of 7 fire appliances and an aerial appliance, crews quickly got to work to control the fire within the flat. crews used 2 jets, 1 hose reel and 2 breathing apparatus to help fight the fire. As previously emphasized the fire was contained to the flat, at no stage were other flats involved or affected by the fire. Fire appliances from Leeds, Killingbeck, Hunslet, Moortown, stations attended the incident along with specialist officers trained to deal with and coordinate this type of incident.

