

Housing Health and Safety Rating System: Samuel Garside House
Summary Report – October 2019

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**HHSRS Assessment of the Common Parts at Samuel Garside House, Under
the Direction of London Borough of Barking and Dagenham (LBBB)**

Dated: 18 October 2019

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Introduction

Background

On 9 June 2019, there was a major block fire at Samuel Garside House (SGH) in the London Borough of Barking and Dagenham (LBBB). The building is comprised of purpose-built residential flats occupied by a mix of owner occupation, housing association and private rented tenancies. Independent HHSRS Assessors were instructed by LBBB to carry out Housing Health and Safety Rating System (HHSRS) assessments of selected purpose-built flats and the common areas.

The HHSRS assessment findings were evaluated and this report details the significant findings for the building with a particular focus on fire safety. The purpose of the assessments is to inform LBBB as the enforcing authority under the Housing Act 2004 about the conditions found so that it can determine the appropriate actions it should take.

Relevant statutory provisions

The assessments were carried out with reference to the Housing Act 2004:

- The Housing Health and Safety Rating System (HHSRS) (England) Regulations 2005
 - The HHSRS Operating Guidance: housing inspections and assessment of hazards ('the Operating Guidance')
- and, where applicable, to
- The HHSRS Operating Guidance: Addendum for the profile for the hazard of fire and in relation to cladding systems on high-rise residential buildings: Guidance about inspections and assessment of hazards in housing given under section 9 of the Housing Act 2004 ('the Fire Addendum').

While the Fire Addendum deals specifically with high-rise residential buildings with cladding, some aspects will be relevant for other issues relating to the exterior of a building, or to other residential buildings containing flats or apartments.

The Housing Health and Safety Rating System

The HHSRS is a health-based, risk assessment methodology for the evaluation of housing conditions. The system assesses the potential threat to the health and/or safety of actual or potential residential occupiers as a result of identified deficiencies. Where unavoidable and potential hazards are found, these should be made as safe as possible. The HHSRS assessments are based on full and detailed inspection of the dwelling/s, and identified deficiencies are linked to associated hazard profiles. Each hazard considered to be worse than the national average is then rated (scored) where it is deemed that the likelihood of an 'occurrence' (as defined in the Operating Guidance) is greater than average. The assessments are carried out ignoring the current household (if any) and are based on the likelihood and outcomes of a hazardous occurrence suffered by a member of the age group most vulnerable to the hazard.

The hazard rating scores are banded from bands A to J. Those scores that fall within Bands A, B or C (a score of 1,000 or more) are deemed to be Category 1 hazards, while all scores that fall within Band D and below are classed as Category 2 hazards. Where the local housing authority (LBBB in this case) consider that a Category 1 hazard exists on any residential premises, it must take the appropriate enforcement action in relation to the hazard. Where the local housing authority (LHA) considers that a Category 2 hazard exists on residential premises, it has the power to take enforcement action in relation to the hazard. Emergency measures cannot be used to deal with Category 2 hazards.

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Enforcement

Once a significant hazard has been assessed and categorised, the LHA must decide on the most appropriate form of action to take with regard to the HHSRS Enforcement Guidance, Housing Act 2004, Part 1, Housing Conditions, and the LHA's enforcement policy in order to establish the most appropriate course of action.

The available options for action are as follows:

- Hazard awareness notice
- Improvement notice (which can be suspended)
- Prohibition order (which can be suspended)
- Emergency remedial action
- Emergency prohibition order
- Demolition order (Housing Act 1985 as amended)
- Clearance area (Housing Act 1985 as amended).

Prior to undertaking enforcement action where a prescribed fire hazard exists, the Local Housing Authority (HRA) must consult with the relevant fire and rescue authority for the area where the building is situated. Furthermore, there is a requirement under The Regulatory Reform (Fire Safety) Order 2005 ('the reform order') for the '**responsible person**' to carry out a fire risk assessment (FRA) to identify what fire hazards exist at the premises and what measures have been taken (or will be taken) to minimise the risk in the parts of buildings containing flats and maisonettes that are used in common.

Inspection of the common parts

The Housing Act 2004 permits the inspection and rating of the common parts. The summary report specifically considers the hazard assessments undertaken to the common parts of the building rather than individual dwellings or purpose-built flats. The assessment of the common parts includes the exterior of the building (as well as any cladding or other panels) and the internal common parts of each floor, including any corridors, hallways, stairways, facilities and amenities (such as refuse disposal and collection points).

Consideration is also given to private balcony areas and terraces, service risers and ducting. This is considered together with evidence (such as survey reports) that confirms relevant matters in relation to the building. Where survey reports are not available, they will be referred to as such and the assessment noted as a preliminary assessment.

Further assessment

For some hazards, further (possibly destructive) investigations may be necessary, or detailed measurements will need to be taken. A preliminary assessment or rating may be undertaken and revised, considering any subsequent information. The scope of the HHSRS assessment/s undertaken in this instance do not include anything in relation to sampling or testing (including ground or air). Also, the HHSRS is non-intrusive. Where further testing by specialists is required, for instance, structural, electrical or gas engineers, then the assessment will be a preliminary assessment pending further specialist reports or investigations.

HHSRS assessment results

Below is a summary of the HHSRS assessment findings for the common areas of the building. The hazard profile rating scores are based on the representations made by independent HHSRS assessors and reference Category 1 and 2 hazards for the purposes of the Housing Act 2004, Part 1.

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The building: Samuel Garside House (common areas)

Fire (Hazard Profile 24):

- Hazard Rating Score: 641
- Hazard Band: D (Category 2 hazard)

Structural collapse and falling elements (Hazard Profile 29):

- Hazard Rating Score: 121
- Hazard Band F (Category 2 hazard)

Samuel Garside House ('the building')

Samuel Garside House was constructed in 2013/14. It consists of four connected blocks (A–D) of varying height from five to seven storeys (including a sub-level car park and ground-floor entrance lobbies leading up to the upper ground-level flats). The maximum storey height of the building is the seventh floor Block D, which was estimated at approximately 16 metres, from the upper balcony floor to ground level. In total, there are 79 purpose-built residential flats of mixed tenure in the building.

Following the block fire in June 2019, mitigating measures were implemented by the persons responsible for the building at SGH. The adopted mitigating measures were agreed with the London Fire Brigade (LFB) to allow re-occupation of residential flats following the fire. In summary, those measures included:

- A full waking watch established to patrol SGH, operating 24 hours a day, 7 days a week
- The review of the current FRA as a matter of urgency, taking into account the mitigating measures adopted
- Regular auditing of all balconies and instructions to residents on the banning of barbecues and smoking on or in the vicinity of the balconies
- Implementation of a comprehensive communication strategy with residents
- The installation of a temporary, audible fire alarm system, complying with British Standard 5839 Part 1 into the communal parts
- The construction of protective tunnels at all seven final exit doors, of robust construction, to give protection to the residents in the event of fire
- A full review of the timber on the external envelope of these and other buildings on the estate and an agreement on timeframes to complete any necessary work.

It is recommended that confirmation is obtained from LFB that they agree to, and are satisfied with, the mitigating measures in place at the building. This will be critical in determining whether the current on-site arrangements are safe for residents and members of the public whilst remediation works are undertaken on site.

Local arrangements are in place to ensure that overlaps between the enforcement of the Housing Act 2004 and the reform order are managed by the enforcing authorities namely LBBD and LFB. These arrangements confirm liaison arrangements and lead authority positions in relation to SGH. This is to enable a consistent and coherent joint working arrangement by both enforcing authorities, including continued liaison for the duration of the remediation works at SGH.

It is recommended that LBBD to continue to consult with the relevant fire and rescue authority (LFB) prior to taking any enforcement action in relation to a prescribed fire hazard (if one were to be found) in any common parts of a building containing one or more flats in accordance with Section 10 of the Housing Act 2004.

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Significant assessment findings

HHSRS hazard assessment: hazard of fire – common parts

An assessment of the hazard of fire has been undertaken in relation to the building and associated common parts.

The fire hazard profile rating score, based on the representations made by independent HHSRS assessors, is a Hazard Band D, Category 2 hazard for the purposes of the Housing Act 2004, Part 1. The rating score was assessed in relation to the relevant matters detailed below and, where appropriate, specifications in relation to suggested remedial works are included.

Balcony construction

In relation to the external timber balconies and associated spandrels, no evidence has been provided to confirm that they are non-combustible. It is therefore assumed that the timbers are combustible and remain a significant risk to the spread of fire to the face of the external elevations of the building, despite removal of some non-essential elements.

Concern remains as to the conformity with current building regulation standards. The view endorsed by the government's advisory expert panel (following the Grenfell Tower fire) is that the provisions of the Building Regulations 2010 (as amended) in relation to external fire spread should apply to buildings, regardless of height, on a risk-based approach. Building owners need to ensure that any balconies do not compromise resident safety by providing a means of external fire spread.

- The removal and replacement of any combustible material used in balcony construction is therefore the clearest way to prevent external horizontal and vertical fire spread from balconies. Combustible material used in the external balcony structures should be removed or replaced to prevent horizontal and vertical fire spread, and this should be completed as soon as is practicable. Until such time as removal is practicable, it is recommended that the mitigating measures adopted remain, to the satisfaction of LFB.

Storage of flammable materials and items

Information received during the course of investigations confirms that leaseholders and occupiers have been instructed not to use barbecues on the balconies or store flammable items. However, there was evidence of storage, including flammable materials and furnishings, on balconies. There was also evidence of excessive storage of items in numerous flats, including excessive storage of combustible items in cupboards housing electrical consumer units.

- Further information and instruction should be given to residents about the risks arising from storage on balconies and, indeed, generally within their properties, particularly where cupboards containing electrical equipment are also used for considerable storage. This information should make clear that smoking, the use of barbecues and storage of flammable property on balconies can increase that risk. Residents should be further instructed that they must not have any barbecues on any balcony, and that flammable and combustible material must be avoided on balconies, as part of the mitigating measures.
- Where activities that could pose a fire risk or where storage of flammable materials is permitted under leasehold agreements, the provision of appropriate fire extinguisher and fire blanket on each of the balconies would be an appropriate mitigating measure.

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Waste management and storage

Waste management within the building relies on four separate waste storerooms ventilated by large openings with metal gratings, located below the upper ground-floor (first-floor) balconies to the front (east) elevation of the building. The openings allow for the potential of fire to spread upwards from the waste storage area. In view of the proximity of the flat balconies to the car park, its ventilation openings, and the waste storerooms, refer to the specification for the automatic fire detection and alarm system (common areas) detailed below.

Fire doors to the common areas

There were concerns regarding several replacement temporary fire doors to un-occupied flats, these were fitted for the duration of reparations. The responsible persons confirmed that no flat will be occupied until any temporary fire door to the flat entrance is replaced by a suitable fire door and associated door-set. This practice should be managed by the persons responsible for management of the works and in liaison with the LFB.

A visual inspection of existing flat fire doors was undertaken based on those flats programmed for inspection under the direction of LBBD. Instances of disrepair of the fire doors serving flat entrances were noted. Disrepair included poorly functioning door threshold smoke seals, over-painted smoke seals, damaged door architraves, missing self-closers and damaged fire door and wall surrounds. Based on the sample of flats inspected, there is a concern about the condition of the fire doors serving flat entrances throughout the building and their ability to prevent smoke entry into escape corridors. To ensure the necessary fire protection is in place, a detailed examination of the fire doors serving the entrance to every flat is recommended by the enforcing authorities. Examination and remediation, where appropriate, should:

- Ensure all flat entrance fire doors and door sets opening onto the escape corridors and stairways are close-fitting and installed with intumescent smoke seals and strips. Door threshold smoke seals should be checked to ensure they are working effectively
- Ensure fire door self-closing devices are capable of closing the door securely into its frame from any open position, and that they will overcome the resistance of the door latch and edge seals
- Ensure that when temporary fire doors are replaced the entire door-set construction is renewed to overcome problems when fitting doors to frames of a different specification to the test construction
- Ensure that fire doors are being installed and maintained in accordance with BS 8214:1990.

Automatic fire detection and alarm system

An interlinked automatic fire detection and alarm system has been installed as part of the mitigating measures. The system includes interlinked smoke detectors and sounders to common areas; however, there is no link to the inner hallways of the flats, nor a sounder within the flat.

- The common fire alarm system installed as a mitigating measure to give a warning of fire throughout the building should be extended to include all flats as well as within the common parts. Due process is currently being followed in relation to the works required at the building and it is unclear how long the simultaneous evacuation strategy will be required. As such the common alarm system or automatic fire detection and alarm

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system supporting simultaneous evacuation should be interlinked to heat detectors in each of the residential flats.

- Heat detectors should also be included in any other rooms, such as plant rooms and other ancillary facilities with windows or vents through which a fire could spread and ignite cladding, with specific reference to the waste storerooms and plant rooms located in the lower ground-floor car park. It is critical that the common alarm system installed in the premises does not have any adverse effect on the other fire safety provisions in the building. For example, the installation of a wired system must not create a route for fire and smoke to spread in fire-rated walls which were previously imperforate. If the system is an extension of the smoke detection system provided for a smoke control system, care must be taken to ensure that the operation of the smoke control system is not compromised by the communal system. Fire alarm systems installed in the common parts must be installed in accordance with BS 5839-1:2002.

Balcony doors

In almost all flats the external balcony glazed doors had dropped in places, leaving a gap between the top of the door and frame: these should be checked and adjusted in all flats to limit the spread of fire and smoke, either inwards or outwards.

- Where required and evidence of ill-fitting external doors onto the balconies (including the door frames and any openable lights) is noted, adjustment of the door, door sets and frames, ensuring they are close-fitting and of sound construction, is required.

HHSRS hazard assessment: Hazard of structural collapse and falling elements – common areas (the building)

An assessment of the hazard of structural collapse and falling elements for the building was deemed appropriate, based on the significant findings. The 'structural collapse and falling elements' hazard profile rating score, based on representations made by independent HHSRS assessors, is a Hazard Band F, Category 2 hazard for the purposes of the Housing Act 2004, Part 1. The rating score was assessed in relation to the relevant matters detailed below, including suggested additional measures.

Inspection of the sampled flats suggests localised displacement of the external cavity walls, evidenced by cracked mortar and brickwork. There was also evidence of cracked plaster at lintel level, which may be evidence of lintel displacement: this requires further investigation.

On inspection of the sampled flats to the rear elevation, the main areas affected by both external cracking to brickwork and internal plaster at lintel level above openings are the third, fourth and fifth floors, primarily in Blocks C and D to the rear elevation. This is similar in characteristic to the floor levels affected by fire to the front elevation where additional remedial measures to the cavity block and brick was required. It is recommended that the structural surveys undertaken to date are confirmed and reported to LBBB to inform any decision on the need for additional investigations to the rear elevation at Blocks C and D.

Where the investigations undertaken to date by the persons responsible for the building at SGH does not include Block C and D rear elevations, then additional structural investigations are recommended to include the elevation described, by competent and suitably qualified structural engineers. The scoring and associated justifications made are a preliminary assessment, for the reasons described above.