

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS: ALL</b>
<b>REPORT TITLE:</b> Emergency Evacuation Information Sharing Update	
<b>REPORT OF:</b> Director of Property Management	
<b>FOR SUBMISSION TO:</b> Fire Safety & Compliance Advisory Panel	<b>DATE:</b> 12 <sup>th</sup> October 2022
<p><b>SUMMARY OF REPORT</b></p> <p>This report summarises the Council's response to government consultation on Emergency Evacuation Information Sharing regulations.</p> <p><b>Local Government Act 1972 – Access to Information</b></p> <p>No documents were used in the preparation of this report which required to be listed</p> <p><b>Contact Officer:</b> Melissa Dillon, Resident Safety, Engagement &amp; Governance Lead</p> <p>Tel: 0207 974 3100</p> <p>Email: <a href="mailto:Melissa.dillon@camden.gov.uk">Melissa.dillon@camden.gov.uk</a></p>	
<p><b>WHAT DECISIONS ARE BEING ASKED FOR?</b></p> <p>The Panel is asked to consider the response the Council has made to EEIS consultation and to provide comments and suggestions for officers to take into discussion with Early Adopter working groups.</p>	

Signed:



Gavin Haynes - Director Property Management

Date: 26<sup>th</sup> September 2022

## **1. What Is This Report About?**

- 1.1 This report is about the Council's response to Government consultation on plans to introduce Emergency Evacuation Information Sharing regulations. The regulations are proposed to apply to residential buildings where it is safer for residents to evacuate the building in the event of a fire and where those with disabilities would need assistance to do so.

## **2. Emergency Evacuation Information Sharing**

- 2.1 In June the Panel considered a report on new proposals the Government intended to introduce as an alternative to Personal Emergency Evacuation Plans (PEEPs) for disabled residents of high-rise buildings. The report summarised new proposals for 'emergency evacuation information sharing' (EEIS) for providing and maintaining basic information about residents who might need assistance to evacuate to local Fire and Emergency Services.
- 2.2 The majority of multi-occupied residential buildings in England have a 'stay put' strategy, where it is considered generally safer for residents to stay in their flats provided that the heat or smoke from the fire is not affecting them. This is because the structure of the flat (walls, floors, and doors) is designed to give fire safety protection.
- 2.3 Where the fire risk assessment for a building is that there is not appropriate fire safety protection in place to support a 'stay put' strategy, it is placed under a 'simultaneous evacuation' strategy. This means that all residents (or a number of residents) are asked to leave together, regardless of whether the fire is directly affecting them or not. Some older or converted buildings will always have a simultaneous evacuation strategy and that is why Camden installs full building fire detection and alarm systems in such buildings.

### **How will EEIS be applied?**

- 2.4 The EEIS proposals apply to buildings with simultaneous evacuation strategies in place; the consultation generally assumes simultaneous evacuation would only be in place in a building temporarily whilst cladding or fire safety remediation works are in progress.
- 2.5 In Camden EEIS would however be a constant requirement in c.1,960 street property blocks where simultaneous evacuation is permanently in place because buildings have been converted and cannot achieve fire compartmentation or because of their age, design or construction. A small number of other blocks also have an evacuation policy due to their construction type. Most purpose-built tall buildings have a 'stay put' policy in place.

- 2.6 Where a simultaneous evacuation strategy is in place, landlords must consider how residents would be alerted in the case of a fire, generally a full building and fire alarm system to alert residents to the need to evacuate the building. Whilst this can be a temporary measure (until fire safety remediation is complete and the appropriate protection is put in place to enable a return to 'stay put' strategy) some older or converted buildings will always have a simultaneous evacuation strategy. This is why Camden installs full building fire detection and alarm systems in such buildings.
- 2.7 The Council is already discharging the first stage of the Government's EEIS plans through the delivery of the fire safety works programme which includes installing hard-wired fire alarm systems in all tenanted homes and in communal areas where required (for example in street properties). The other typical fire safety works to Camden Council homes include:
- Installing new flat entrance and communal doors to meet fire door "FD30S" or "FD60S" standards
  - installing emergency lighting in communal areas and staircases
  - redecorating communal areas using "Class O" fire retardant paint
  - fire-stopping in communal areas and flats to prevent the spread of fire

### **3. Camden's response to EEIS Consultation**

- 3.1 The Council submitted a response to EEIS consultation on 10<sup>th</sup> August and focussed on the following key points:
1. The consultation makes the mistaken assumption that that simultaneous evacuation and hence the requirement for EEIS would be a temporary measure, and under-estimates the number of people who might be affected; the government assessment is that up to 15,000 people in total across the country might need a person-centred fire risk assessment. In Camden there are c1,694 buildings where simultaneous evacuation strategies are in place permanently and that it is unlikely that Camden is alone in this.
  2. The consultation quoted the Family Resources Survey 2020/21 findings that 15 to 20% people report themselves as having a disability. If this percentage of residents in our simultaneous evacuation blocks self-identify to the Council for EEIS/ Person-Centred Fire Risk Assessment (PCFRA) we will have between 495 and 1,700 people who might need a PCFRA with a potential 150 new cases each year from new lettings.
  3. The consultation underestimates the costs of a person-centred fire risk assessment (PCFRA) and an EEIS regime for both landlords and local fire and emergency service. It costs £6-8k to install sprinklers required by PCFRAs in individual flats, this is a reasonable proxy for the cost of in-flat adaptations & adaptations to communal areas. We think the initial cost of PCFRA works in Camden could be up £2.9m.

4. We estimated that the annual cost to Camden of contacting residents, carrying out EEIS assessment visits and person-centred fire risk assessments would around £157,000 and that additional adaptations and individual sprinkler assessment could cost about £900,000 a year. We said government should provide 'additional burdens' funding to meet the costs of implementing their proposed new regulations.
  5. We pointed out that the proposed new regulations would apply equally to tenanted and leasehold properties and that whilst Camden would have a duty to carry out EEIS and where necessary PCFRAs, it would have no obligation to fund any in-flat fire safety or prevention works. Leaseholders would be obliged to fund such works themselves, and to contribute to any measures required in communal areas.
  6. We said that this approach had the potential to leave identified fire risks unresolved and other residents at risk and sets up different standards for the two tenures. Many original RTB leaseholders are elderly and on low incomes and it is difficult to see how they could fund suppression and prevention measures themselves without grant funding.
  7. We asked how this approach would this affect the tenants of non-resident leaseholders whose landlords might have no legal obligation to implement measure. We asked if the responsibility for funding work in non-resident leasehold properties would fall to the Council since the tenants of leaseholders are not property owners.
  8. We said that the EEIS and PCFRA approach needs to take into account the stimulated demand for PCFRA and Home Fire Safety visits; that whilst these visits may not result in a need for physical measures to be put in place it would place demands on landlords and fire and emergency services to carry out the visits and process and incur the corresponding inspection and administration costs. We said the government has underestimated the demand for Fire & Rescue Service home visits and the impact this would have on these services.
- 3.2 EEIS consultation has now closed and government is due to publish it's response and new regulations in Spring 2023, however there has been another development which may mean the PEEPs proposal are revisited by government.

### **Legal Challenge to Non-Implementation of PEEPS in high-rise buildings**

- 3.3 On 29<sup>th</sup> July a leaseholder disability action group (CLADDAG) lodged a High Court challenge to government on their failure to implement Grenfell Inquiry PEEPs recommendations for disabled people in high-rise buildings. The challenge aims to place a legal requirement on owners and managers of high-rise residential buildings to prepare PEEPs for all residents whose ability to self-evacuate in an emergency may be compromised.
- 3.4 CLADDAG argue that the outcome of the PEEPs consultation is unlawful, on the basis that -the failure to implement PEEPs constitutes a breach of disabled

residents' right to life and to freedom from discrimination and is a breach of the Public Sector Equality Duty. At the time of writing CLADDAG expect to know whether they have permission to proceed with their legal challenge in September 2022.

#### **4. Next Steps.**

- 4.1 As explained in section 2 of the report Camden already has a Fire Safety Act compliant FRA programme in place and is discharging what would be EEIS Step 1 by installing hard-wired fire alarm systems in all tenanted homes and in communal areas where required. In advance of publication of new regulations Camden has discussed PEEPs/EEIS with the LFB Borough Commander and is installing Premises Information Boxes in high-rise blocks and commissioning new floor plans for inclusion in premises information boxes.
- 4.2 Camden's Fire Safety Advisers carry out Person Centred Fire Risk Assessments for residents identified by Neighbourhood Housing and Social Care teams, and OT Teams carry out assessments and order adaptations required by individuals. This includes works such as installation of personal misting systems (a type of sprinkler) within properties.
- 4.3 Ahead of the outcome of EEIS consultation and the publication of new regulations Neighbourhood Officers will begin a home visiting programme to all council homes. In addition to carrying out routine tenancy checks they will identify any fire safety concerns about individual homes and give residents the opportunity to identify any emergency evacuation or mobility problems that they may have.

#### **5.0 Environmental Implications**

- 5.1 There are no immediate environmental implications arising from the measures described in the report.

#### **6. LEGAL COMMENTS**

- 6.1 Legal Comments have been incorporated in the preparation of the report.

#### **7. FINANCE COMMENTS**

- 7.1 This report seeks the panel to comment on the Council's response to the Emergency Evacuation Information Sharing (EEIS) regulations.
- 7.2 There are ongoing works around fire safety which are both within the revenue and capital budgets. If there are additional costs beyond this, they will be considered at the next budget setting cycle both for revenue and capital.

**ENDS**