

Report Title:	Fire Compartmentalisation Works
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Leader of the Council, Maidenhead Regeneration and Maidenhead (incl. Communications and Property)
Meeting and Date:	Cabinet - 27 June 2019
Responsible Officer(s):	Russell O'Keefe, Executive Director
Wards affected:	All

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REPORT SUMMARY

1. The Royal Borough of Windsor & Maidenhead are continuing to work towards delivering and maintaining legislative, statutory and regulatory requirements in respect of property compliance. Councils have a duty to ensure that buildings under their control comply with appropriate statutory, regulatory and corporate standards.
2. This task has become increasingly complex, onerous and difficult in the context of various potentially competing drivers which includes an increasing burden of legislative and regulatory duties falling on building occupiers as well as the loss of critical mass and control in the delivery of property related services through outsourcing, budget reductions and fragmentation of resources.
3. Fire Protection for our education facilities are fundamental, not just in terms of legislative compliance, but also to keep our children safe and secure. A budget of £464,202 is required to deliver fire compartmentalisation works across our schools in three phases over the summer break in 2019.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **It is recommended that the approval for the additional capital budget of £464,202 is authorised to ensure the council's obligations are met and implemented.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The remaining work outstanding from the recent FRA's (Fire Risk Assessments) is around compartmentalisation. The council's Insurance & Risk Manager has highlighted their concerns that although the risk to life has been dealt with there remains a significant building risk.
- 2.2 A decision is required whether schools are allowed to opt in or out of services. There needs to be a greater understanding around funding this work and where future budgets should sit.

3. DETAILS

Fire Safety remains uppermost in our minds, with the issuing of the Dame Judith Hackett's report ***Building a Safer Future*** (Independent Review of Building Regulations and Fire Safety). Much work has already been undertaken in this area, with £1.2m of works already identified. We are aiming to carry out statutory annual reviews of FRAs, and this will continue to be a key.

As the responsible organisation we must carry out and regularly review a fire risk assessment of the premises. This will identify what we need to do to prevent fire and keep people safe.

Compartmentalisation is a frequently used term within the fire industry and is one of the core principles of PFP (Passive Fire Protection). An example of compartmentalisation would be the installation of (minimum) 30 minute fire rated barriers separating each distinct area throughout a property. The creation of layered pockets of fire resistance ensures a fire can be contained within a relatively small area, and therefore enables people to exit the building safely and minimises any damage to the property.

A common sign of compartmentalisation is a fire door. Fire doors should be rated to a minimum of 30 minutes fire resistance and are designed to completely seal off a doorway to prevent flames and smoke from passing through. Of course, fire doors must be accompanied by fire resistant walls and ceilings in order to prevent the spread of fire.

Care must therefore be taken to protect any penetrations made in walls, floors or ceilings as these can become conduits through which fire can spread. Intumescent products are designed to surround holes made in any fire resistant surfaces, and seal them in the event of a fire maintaining compartmentalisation.

Whilst it is vital to slow the passage of smoke and flames throughout any type of building, it is especially important in buildings providing care to anyone with limited mobility and schools.

4. KEY IMPLICATIONS

- 4.1 The council is self-insured against loss or damage to our own property by fire up to the first £750k of a claim. It is therefore very much in our own interest to reduce the potential for large fire losses, as we will be funding much of the cost of repairs.

The policy wording under General Policy Conditions, "reasonable care" clause reads that the insured at its own expense shall:

- a) Take all reasonable precautions to prevent or diminish losses or liability arising in connection with the insured risks
- b) Comply with all statutory obligations and regulations imposed by any authority

The insured peril that gives insurers greatest concern is that of fire. Roof voids present a great opportunity for smoke and flame to spread quickly throughout a building hence compartmentation, is recommended by property insurers as a key means of stopping the spread of fire.

Finally, insurers expect that if recommendations from the fire risk assessments are made, they be acted upon. To do otherwise runs the risk of additional policy terms being applied because of the perceived loss exposure.

5. FINANCIAL DETAILS / VALUE FOR MONEY

5.1 Shared building services have provided indicative quotes of **£464,202**.

5.2 In order to save up to £100,000 of external management costs, this work will be managed by staff in the Property Services Team. These works are necessary to comply with best practice recommendations.

5.3 Borrowing is only undertaken when necessary and not on the date of approval of a scheme by the Council or Cabinet, but as the funding is required. Borrowing is generally taken over the economic useful life of the asset, for instance borrowing for buildings and would be applied over 50 years. The Council will use available balances and capital receipts before undertaking borrowing to reduce any unnecessary revenue costs. If it is necessary to borrow to support the achievement of this proposal then the estimated borrowing implication of this would be approximately 0.8% annually over the life of the loan.

The breakdown is as follows:

Property Type	Pre Tender Estimates
Education Phase 1	£239,109
Education Phase 2	£127,529
Education Phase 3	£97,564
Total	£464,202.00

6. LEGAL IMPLICATIONS

The Health & Safety (Offences) Act 2008 came into force in January 2009 and amends Section 33 of the Health & Safety at Work, Act 1974. The 2008 Act does not introduce any new legal duties or change any existing ones. It does however; give the courts greater powers of sentencing including an increase in the level of penalties for those caught not complying with the existing duties.

7. RISK MANAGEMENT

7.1 The reasons for this is because fire compartmentation:

- Prevents the rapid spread of fire, which could trap the occupants of a building.
- Reduces the chance of fires growing and creating a danger to occupants, fire and rescue services, and people near the building.
- Limits the damage caused to a building and its contents.

7.2 Improved focus on building safety during the design is a key consideration of construction and the refurbishment of premises. To this end, it's imperative that the Local Authority ensure that the new Joint Competent Authority (JCA) standards are met

7.3

Table: Impact of risk and mitigation

Risks	Uncontrolled risk	Controls	Controlled risk
Risk to Individuals	High	Fire Compartmentalisation in roof spaces – reduces the chance of fires spreading and creating a danger to occupants.	Low
Risk to Buildings	High	Fire Compartmentalisation in roof spaces – limits the damage caused to building during a fire.	Low
Non-compliance with statutory regulations.	High	Undertaking the work satisfies compliance requirements for Health & Safety Legislation.	Low

8. POTENTIAL IMPACTS

- There is potential for smoke and flame to spread quickly throughout a building hence compartmentation is recommended

9. TIMETABLE FOR IMPLEMENTATION

Implementation date if not called in:

Table: Implementation timetable

Date	Details
July 19	Aim to commence on school shut down for a 8 week period.

10. APPENDICES

- N/A

11. BACKGROUND DOCUMENTS

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Dudley	Leader of the Council, Maidenhead Regeneration and Maidenhead (includes Communications and Property)	12/06/19	12/06/19
Duncan Sharkey	Managing Director	12/06/19	12/06/19
Russell O'Keefe	Executive Director	12/06/19	12/06/19
Andy Jeffs	Executive Director	12/06/19	14/06/19
Rob Stubbs	Section 151 Officer	12/06/19	12/06/19
Elaine Browne	Interim Head of Law and Governance	12/06/19	16/06/19
Nikki Craig	Head of HR and Corporate Projects	12/06/19	12/06/19
Louisa Dean	Communications	12/06/19	12/06/19
Kevin McDaniel	Director of Children's Services	12/06/19	18/06/19
Hilary Hall	Deputy Director of Commissioning and Strategy	12/06/19	
	Other e.g. external		

REPORT HISTORY

Decision type: Key decision Urgent	Urgency item? Yes This item was not previously listed on the forward plan, as the reports have only recently been received with recommendation for works to be undertaken.	To Follow item? Works have now been identified and need immediate attention in order to comply with health & safety legislation.
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