Department for Communities and Local Government

The Rt Hon Eric Pickles MP
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Her Honour Frances Kirkham CBE
Assistant Deputy Coroner
Inner Southern District of Greater London
The Coroner's Court
1 Tennis Street
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20 MAY 2013

Dear Madam

Thank you for your letter of 28 March 2013, written under Rule 43 of the Coroners Rules (as amended), concerning the inquests into the deaths of Catherine Hickman, Dayana Francisquini, Thais Francisquini, Felipe Francisquini Cervi, Helen Udoaka and Michelle Udoaka who all died tragically in the fire at Lakanal House on 3 July 2009.

First, I think it only right that, on behalf of myself and my Department, I take this opportunity to express my sincere condolences to those who so sadly lost loved ones in this incident. I very much appreciate your efforts to ensure that the inquests were conducted in such a way that allowed the circumstances surrounding the fire to be rigorously and independently examined, and those of the members of the jury, who were so diligent in framing their narrative verdicts.

I have considered carefully your recommendations and offer the following in response to the detailed issues you have raised.

The first point I would make is that, following the fire, officials from my Department worked closely with the Local Government Association to identify the concerns of housing providers across all tenures about delivering and ensuring the safety of their residential buildings. We provided the Local Government Association with grant funding to develop, in partnership with the housing sector and the enforcing authorities, detailed national guidance on the risk assessment process and the range of issues to be considered if the risk of fire to residents of purpose built blocks of flats, including high rise, is to be assessed and managed adequately.

The guidance, published in summer 2011, takes a practical approach to ensuring that those responsible for the safety of residents and others in purpose built blocks can take a comprehensive and pragmatic approach to managing risk effectively within the context of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

The guidance is available on both the Local Government Association's website and on the fire safety pages of the Government's website. This fulfils my duty (under article 50 of the

Fire Safety Order) to ensure that such guidance as I consider appropriate is available to assist responsible persons to discharge their duties under the Fire Safety Order. Of course, in this instance, the scope of the guidance has been drawn more widely to include the requirements of the Housing Act. It addresses in some detail the rationale for the stay-put principle and provides detailed advice on the fire safety information that should be made available to residents in the light of the findings of a risk assessment. It also provides advice on when accessing individual flats for the purpose of inspecting the effectiveness of compartmentation and other fire safety measures should be considered.

The housing sector's feedback on the impact of this guidance has been very positive, and I consider that it addresses sufficiently those issues which have been highlighted in your Rule 43 reports. However, we are not complacent. I fully support the Local Government Association's proposal to consider, with my Department and other partners, whether there are any implications for the guidance arising from your Rule 43 recommendations which may need to be addressed in a revised document. My officials are engaged with the Local Government Association on this matter.

On your other recommendations, I can confirm that my Department's Generic Risk Assessment guidance on High Rise Firefighting is under review at present and will be informed by all of the recommendations you have made in your Rule 43 recommendations. It will also include advice to Incident Commanders to inform decisions on evacuation, should it become clear during an incident that the 'stay put' principle is no longer tenable.

We have considered your recommendation that those responsible for residential high rise buildings be required to provide relevant information for operational purposes in premises information boxes. However, on balance we consider that a regulatory requirement is unnecessary and disproportionate. A range of options are available to ensure relevant data from inspections under s7(2)(d) of the Fire and Rescue Services Act is captured and made available to firefighting crews, including through mobile data terminals in fire appliances.

Where additional or specific information is considered necessary to assist firefighting crews, fire and rescue authorities should work closely with individual building owners to ensure the provision and maintenance of readily accessible, on-site information.

You have suggested that my Department encourages providers of housing in high rise multi-occupied residential buildings to consider the retrofitting of sprinklers. My officials have recently written to all social housing providers about this following the Rule 43 recommendation from the Coroner of the recent inquests into the firefighter deaths which occurred at Shirley Towers in Southampton in April 2010, and I attach a copy of that letter for information.

Finally, in relation to Building Regulations, I have noted your concerns about the difficulties that some of those involved in the Inquests had with the interpretation of Approved Document B. I can assure you that my Department is committed to a programme of simplification. However, the design of fire protection in buildings is a complex subject and should remain, to some extent, in the realm of professionals.

We have commissioned research which will feed into a future review of this part of the Building Regulations. We expect this work to form the basis of a formal review leading to the publication of a new edition of the Approved Document in 2016/17. The revision would be drafted in accordance with a new 'style guide' for Approved Documents, aimed at

ensuring the guidance is capable of being more easily understood, and that the need to cross- reference is reduced.

In the meantime, however, I have commissioned my officials to review the current guidance issued by providers of Competent Person Schemes for window installers. The review is intended to ensure that members of these schemes are fully aware of the scope of these schemes and the fire safety measures which should be addressed, and is I believe, an appropriate response to the problems that came to light during the Inquests.

I am grateful for your recommendations and can assure you of my commitment to ensuring that the safety of residents in high rise building continues to be a priority.

Yours ever

Eric Pickles

RT HON ERIC PICKLES MP