

Message

---

**From:** Cynthia.Vachino@rbkc.gov.uk [Cynthia.Vachino@rbkc.gov.uk]  
**Sent:** 17/04/2013 11:52:10  
**To:** Laura.Johnson@rbkc.gov.uk; aparkes@kctmo.org.uk; Richard.Buckiey@lbhf.gov.uk; Anju.Sidhu@rbkc.gov.uk; jwray@kctmo.org.uk; Anthony Parkes ["/O=KC TMO/OU=First Administrative Group/cn=Recipients/cn=aparks"]; Janice Wray ["/O=KC TMO/OU=First Administrative Group/cn=Recipients/cn=jwray"]  
**CC:** dwood@kctmo.org.uk; dward@kctmo.org.uk; Daniel Wood ["/O=KC TMO/OU=First Administrative Group/cn=Recipients/cn=dwood"]; David Ward ["/O=KC TMO/OU=First Administrative Group/cn=Recipients/cn=dward"]  
**Subject:** Enforcement of Fire Safety Legislation in respect of Leasehold doors  
**Attachments:** Lakanal Fire - Coroner's Inquest, Ltrs recommendation, NarrativeVerdicts

Dear All

RE: Enforcement of Fire Safety Legislation in respect of Leasehold doors

I email as follows on this matter.

Although on 22 March 2013, the DCLG (Ms Upton) emailed to say that she anticipated replying to our Submissions by "mid April-ish", it may well be that the DCLG now take longer to respond to us for the following reason.

The Coroner's Court completed towards end March 2013, their Inquest into the Southwark case of the fire in the tower block of Lakanal House which resulted in the deaths of 6 residents. The jury at the Inquest brought in Narrative Verdicts for each of the deceased. My understanding of a Narrative Verdict is that it makes provision for the Coroner to set out further details in respect of the verdict, and in which the circumstances of a death are recorded without attributing the cause to a named individual.

The Coroner has now written to the following with recommendations as to the actions each should take and on which, from each, the Coroner seeks a response within 56 days:

1. The London Borough of Southwark – letter of 28 March 2013
2. DCLG – letter of 28 March 2013
2. London Fire Commissioner - letter of 28 March 2013
4. Chairman of the Fire Sector Federation - letter of 30 March 2013.

The Fire Sector Federation ('FSF') by letter of 4.4.13 to the Coroner indicated that on behalf of the Federation a number of groups are currently being convened to address and comment on the findings made by the Coroner, and that the FSF will be liaising with the DCLG, the LFB and Ldn Bor of Southwark on the outcomes and any recommendations. The FSF indicated they will report back to the Coroner in due course.

You will see in the Coroner's letters that one of the issues which the Coroner recommends be addressed is inspecting and identifying breaches of compartmentation and that particularly with older housing stock such breach may be as a result maintenance/refurbishment work undertaken by building owners or modifications

undertaken by occupiers, and which have the potential to impact the fire safety of residents/others.

Although the Coroner does not specifically refer to the issue which is key to our Submissions to the DCLG ie as to which is the enforcing authority in respect of the Fire Safety Order, it may well be that the DCLG will consider the issues raised by the Coroner as well as our Submissions in assessing both their response to the Coroner and to ourselves.

If I have not heard from the DCLG within the next 10 days I will send a reminder email to them. I will continue to keep you updated. Please do not hesitate to contact me to further discuss.

Richard/Anju/Janice

You may already be aware of the Coroner's recommendations. If not, might I please ask you to read the above letters from the Coroner as there are key issues being raised which will/may impact on the Health and Safety, Fire Risk Assessment, and Fire Safety procedures/policies of RBKC/TMO. I appreciate that the Coroner still awaits responses from the above parties but I wish to bring to your attention now the recommendations being raised. In the attached above is the Coroner's covering report, the Coroner's above referenced letters, the FSF's letter of 4.4.13 and the narrative verdict. I obtained these documents from Lambeth Council's website as the Coroner's Inquest was held at Lambeth Assembly Hall.

Following I give a very brief précis on the recommendations/issues made by the Coroner; further details of which are within the Coroner's letters.

1. DCLG – Coroner's recommendations in their letter of 28.3.13

i. Fire Safety, Fire Fighting, Search and Rescue:

a. the DCLG to publish consolidated national guidance in relation to the 'stay put' principle and its interaction with the 'get out & stay out' policy

b. the DCLG review and publish national guidance regarding 'High Rise Firefighting'

c building owners/occupiers to provide relevant information near or on the premises for the Fire and Rescue Service [N.B. please see the Coroner's letter to the LFB in which the Coroner in their list of actions the LFB are already taking indicates that the LFB with 'three London Boroughs' are to develop a pilot scheme for the provision of 'premises information plates' at buildings.

ii. Fire Risk Assessments pursuant to the FSO

a. be widened so as to include inspection of interior of flats/maisonettes in high rise building

b. clear guidance be given on definition of common parts, inspection of modified premises to determine if compartment has been breached, inspection of sample of flats maisonettes to identify possible breaches of the compartment

iii. Retro Fit of Sprinklers in high rise residential buildings

iv. Building Regulations and Approved Document B

a. the DCLG to provide clear guidance in relation to Regulation B4 of the Building Regulations in particular attention to spread of fire over external envelope of the building and circumstances whether proposed work to a building might reduce existing fire protection.

b. the guidance to be in a format and in clear wording understandable to those who do not have in depth knowledge of building control matters

c. provide guidance to assist those involved in maintenance or refurbishment of older housing stock, and not only those engaged in design/construction of new buildings.

2. Ldn Bor of Southwark – Coroner’s recommendations in their letter of 28.3.13

i. information / guidance to occupiers of flats/maisonettes in high rise buildings

ii. signage in high rise residential buildings

iii. policies and procedures concerning fire risk assessment

iv. training of staff in maintenance and refurbishment work on existing building

v. access for emergency vehicles

vi. retro fitting of sprinklers.

3. Coroner’s letter to the Fire Brigade

You will see from the Coroner’s letter a list of actions which the LFB have already undertaken, and therefore the Coroner did not make recommendations in relation to those. The

Coroner did make the recommendations in respect of the following topics:

i. Public Awareness of Fire Safety

ii. Visits made pursuant to s7(2)(d) Fire and Rescue Services Act 2004, general familiarisation visits and home fire safety visits.

iii. Incident Command

iv. Brigade Control

v. Communications.

4. Coroner’s letter to the FSF

The Coroner refers in its letter to the FSF, the recommendations and issues the Coroner has raised in their letters to the DCLG and Ldn Bor Southwark. The Coroner notes that the FSF seeks to give voice to and exert influence in shaping future policy and strategy related to the UK Fire Sector and is well placed to shape policy/give advice at national level as to the scope of Fire Risk Assessment in high rise buildings. The Coroner states that it ‘trusts’ the FSF will consider whether it has a role in clarify the scope of fire risk assessment and offering guidance/training to fire risk assessors.

Regards

Cynthia Vachino  
Solicitor  
Legal Services

The Royal Borough of Kensington and Chelsea

The Town Hall, Hornton Street

London, W8 7NX

Tel: [REDACTED]

Fax: [REDACTED]

DX: 84015 High Street Kensington 2

\*\*\*\*\*

The Royal Borough of Kensington and Chelsea.

This e-mail may contain information which is confidential,  
legally privileged and/or copyright protected. This e-mail  
is intended for the addressee only. If you receive this in  
error, please contact the sender and delete the material  
from your computer.

\*\*\*\*\*