

Inner Southern District of Greater London

The Coroner's Court
1 Tennis Street
London SE1 1YD

Her Honour Frances Kirkham CBE
Assistant Deputy Coroner

28 March 2013

The Rt Hon Eric Pickles MP
Secretary of State for Communities and Local Government
Department of Communities & Local Government
Zone G9, 4th floor
Eland House
Bressenden Place
London
SW1E 5DU

Dear Secretary of State

Lakanal House fire 3 July 2009

I write concerning the inquests into the tragic deaths of Catherine Hickman, Dayana Francisquini, Thais Francisquini, Felipe Francisquini Cervi, Helen Udoaka and Michelle Udoaka, who all died in a fire at Lakanal House, Camberwell, London, on 3 July 2009.

The jury brought in Narrative Verdicts in respect of each of the deceased.

I write to you pursuant to Rule 43 of the Coroners Rules (as amended) which provides:

“(1) Where

- (a) a coroner is holding an inquest into a person's death,
- (b) the evidence gives rise to a concern that circumstances creating a risk of other deaths will occur, or will continue to exist, in the future; and
- (c) in the coroner's opinion, action should be taken to prevent the occurrence or continuation of such circumstances, or to eliminate or reduce the risk of death created by such circumstances,

the coroner may report the circumstances to a person who the coroner believes may have power to take such action.”

I announced at the end of the inquests that I would be sending a report to you, as evidence adduced at the inquests gave rise to concern of the type identified in Rule 43. I believe that your Department has power to take action as set out in this report.

Different sections of this report will be relevant to different sections of your Department. I ask you, please, to ensure that the report is drawn to the attention of all relevant sections.

Fire safety, fire fighting and search and rescue

Evidence adduced at these inquests indicates that there is insufficient clarity about advice to be given to residents of high rise residential buildings in case of fire within the building. It is recommended that your Department publish consolidated national guidance in relation to the “stay put” principle and its interaction with the “get out and stay out” policy, including how such guidance is disseminated to residents.

It is recommended that consideration be given to review of Generic Risk Assessment 3.2 “High Rise Firefighting” to provide consolidated national guidance as to the following:

- matters which should be noted by fire brigade crews making familiarisation visits and visits pursuant to section 7(2)(d) Fire and Rescue Services Act 2004, including the gathering of information regarding high rise residential buildings with unusual layouts, and access for aerial ladder platforms and other specialist vehicles at an incident
- awareness that fire can spread downwards and laterally in a building
- awareness of the risk of spread of fire above and adjacent to a fire flat
- awareness that insecure compartmentation can permit transfer of smoke and fire between a flat or maisonette and common parts of high rise residential buildings, which has the potential to put at risk the lives of residents or others.

It is further recommended that Government give consideration to requiring high rise residential building owners or occupiers to provide relevant information on or near the premises, such as premises information boxes or plates. Such information must be accessible by and tailored to the requirements of the fire and rescue service and kept up to date by the premises owner or occupier.

Fire risk assessments pursuant to Regulatory Reform (Fire Safety) Order 2005

The evidence adduced indicated that, notwithstanding publication of your Department’s 2006 guide (Fire safety Risk, sleeping accommodation) and of the Local Government Association’s August 2011 guide, there remains uncertainty about the scope of inspection for fire risk assessment purposes which should be undertaken in high rise residential buildings. Evidence was adduced which indicated that inspection of the interior of flats or maisonettes in high rise buildings was necessary to enable an assessor to identify possible breaches of the compartment which have the potential to impact on the fire safety of the resident or others.

It is recommended that Government provide clear guidance on

- the definition of “common parts” of buildings containing multiple domestic premises
- inspection of a maisonette or flat which has been modified internally to determine whether compartmentation has been breached
- inspection of a sample of flats or maisonettes to identify possible breaches of the compartment.

Retro fit of sprinklers in high rise residential buildings

Evidence adduced at the inquests indicated that retro fitting of sprinkler systems in high rise residential buildings might now be possible at lower cost than had previously been thought to be the case, and with modest disruption to residents.

It is recommended that your Department encourage providers of housing in high rise residential buildings containing multiple domestic premises to consider the retro fitting of sprinkler systems.

Building Regulations and Approved Document B

During these inquests we examined Approved Document B (2000 edition incorporating 2000 and 2002 amendments) ("AD B"). I am aware that AD B has subsequently been amended, and believe that a further amendment is due to be published soon. The introduction to AD B states that it is "... intended to provide guidance for some of the more common building situations". However, AD B is a most difficult document to use. Further, it is necessary to refer to additional documents in order to find an answer to relatively straightforward questions concerning the fire protection properties of materials to be incorporated into the fabric of a building.

It is recommended that your Department review AD B to ensure that it

- provides clear guidance in relation to Regulation B4 of the Building Regulations, with particular regard to the spread of fire over the external envelope of the building and the circumstances in which attention should be paid to whether proposed work might reduce existing fire protection
- is expressed in words and adopts a format which are intelligible to the wide range of people and bodies engaged in construction, maintenance and refurbishment of buildings, and not just to professionals who may already have a depth of knowledge of building regulations and building control matters
- provides guidance which is of assistance to those involved in maintenance or refurbishment of older housing stock, and not only those engaged in design and construction of new buildings.

Response

Rule 43A of the Coroners Rules requires that you give a written response within 56 days beginning with the day on which the report is sent. If you are unable to respond within that time, you may apply to me for an extension. The response is to contain details of any action that has been taken or which it is proposed will be taken whether in response to this report or otherwise, or an explanation as to why no action has been taken.

As required by rule 43, I shall send a copy of this report to the Lord Chancellor.

Yours sincerely



Frances M Kirkham