

Freedom of Information request reference number: 9141.1

Date of response: 20/11/2024

Request:

Report from Borough Commander BC Wellman and the Deputy Assistant Commissioner - Petworth Court, Wembley. Our client has been asked to provide disclosure of a report dated 15 February 2024 from Borough Commander BC Wellman and the Deputy Assistant Commissioner (the Document).

Response:

The only report we hold from BC Wellman on the date 15th February 2024 are the minutes from the residents meeting. I have attached the minutes from this meeting below.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us/>

Wembley Fire Station Meeting 15/02/24 -Elm Road Fire

1. **Introductions**-Everyone introduced themselves.
2. **Update on the fire investigation.** Borough Commander BC Wellman.

BC Wellman noted that the main areas of interest regarding the cause of this fire are the 1st Floor (the lowest point of burning observed) and the third floor (where the fire was first seen). The samples being examined will explore both of these areas in further detail. Before determining the cause of the fire, it is essential that the fire investigation team consider all available evidence, both from the scene and from the scientific advisor's laboratory examination, to ensure that every reasonable effort has been made.

A full fire investigation report will be produced for this incident, once all the details are available.

The fire Investigation work will feed into the ongoing Fire Safety investigation undertaken by the LFB's Fire Safety teams under the Regulatory Reform Order. The Fire Safety investigation will examine evidence from before the fire, during the fire, and after the fire, to determine if any offences have been committed under the Regulatory Reform Order 2005.

BC Wellman did not put a timeframe on when information about the cause of the fire could be provided. One resident questioned whether it could take as long as six months. BC Wellman indicated that he did not believe it would take that length of time. BC Wellman told residents that when a fire investigation report is produced, a copy will be provided to them free of charge, which was welcomed by residents, who were told there is usually a significant cost attached to this.

Residents described the "limbo" that they were in and wanted to know when they will be able to return to their homes or collect possessions and valuables. Residents told the London Fire Brigade (LFB) that Octavia had been telling residents that they are working with LFB to sort out outstanding issues and waiting for updates from LFB. BC Wellman confirmed that LFB had handed the incident over to the Responsible Person (Octavia) on February 2 and that he had spoken to an Octavia representative this week to clear up confusion about LFB's current involvement. BC Wellman said it would be up to a fire risk assessor, arranged by Octavia, to determine whether the building is safe to move back into. Some residents noted that they would be asking for copies of the current and previous fire risk assessments. BC Wellman noted that once Octavia has given the green light for residents to return to their homes, his crews will be carrying out Home Fire Safety Visits whilst DAC Oparaocha said her team will be carrying out fire safety checks of the building.

Action. BC Wellman to arrange Home fire safety visits once residents return home.

3. How the LFB tackles incidents. Deputy Assistant Commissioner DAC Oparaocha.

DAC Oparaocha invited questions from the group.

Question. When were you first aware of the cladding at Elm Road? DAC Oparaocha did not have this information to hand but will find out. Fire station crews have an inspection cycle of buildings. Inspections are prioritised by risk into lower and higher risk buildings i.e. a sweet shop with a couple of flats above would be considered lower risk. Once our crews had visited your building, they would be aware that the buildings were cladded. The LFB inform our Control room that the building is cladded so that an enhanced response is sent, when needed.

Action DAC Oparaocha will check when LFB became aware that the flats were cladded and let the group know.

Question. Why was Octavia Housing Association saying that they work with the London Fire Brigade? DAC Oparaocha explained that the LFB is an Enforcing body. The person in charge of a building is responsible for hiring a Fire Risk Assessor who is independent of them and the LFB. The Fire Risk Assessor checks areas such as flat front doors, balconies, and common parts. The Fire Risk Assessor makes the decision about safety. DAC Oparaocha explained that the LFB cannot mark its own homework. It must stay separate because it is an enforcing body. It would be the LFB that takes enforcement action, for example, Enforcement notices or taking organisations to court.

Point. Octavia state that they are working with you. DAC Oparaocha noted that Octavia own lots of buildings in London. As the Primary authority across London, the LFB provide Octavia with advice covering the law, their responsibilities, and consequences. The LFB had issued notices (post meeting note, a Notice of Deficiency (NOD) was served, not an enforcement notice) for flat front doors and automatic opening vents (AOV's). Octavia had started work on these but noted that they had experienced access issues.

Question, why don't you have regular checks with Octavia? DAC Oparaocha noted that the LFB keeps in touch if we notice deficiencies. We must give organisations time to complete the work. DAC Oparaocha will share the date that the notice was issued and underlined the commitment of the LFB to residents' safety. A resident noted that residents feel unsafe and want to be heard. She asked for others to walk a mile in shoes and explained that her son was doing his GCSE' exams. She explained that Octavia wants residents to move shortly but the resident is concerned that this this will disrupt her son's study. Her son feels that his future is wrecked. Pam said that she was sorry for the position that resident was in.

Action DAC Oparaocha to confirm date LFB became aware of cladding.

4. Cladded buildings-the regulatory space. Deputy Assistant Commissioner Oparaocha.

DAC Oparaocha spoke about the fact that cladding will need to be removed from the building and that, due to the size of the building 11-18 storeys, funding via the Government's Cladding Safety Scheme (CSS) is available to carry out this work.

Residents noted that they had been informed by their MP Barry Gardiner previously that Octavia had been advised to apply for the CSS funding, but they declined. Another resident explained that the building had been constructed by another company, the Vistry Group. A resident noted that the flats were built by Galliford Try-does this affect the funding? Another resident noted that Barry Gardiner MP had stated Octavia had been sworn to secrecy by solicitors. Residents would like to invite Vistry to meet and have questions for Octavia.

With this new information, DAC Oparaocha clarified to residents that Octavia cannot apply for the funding because the Vistry Group, as the constructor of the building, is still in existence. She advised residents to speak to Octavia about the remedial work that is required as it would be the Vistry Group's responsibility to apply for this funding. DAC Oparaocha noted that the funding scheme is still open. Octavia has to be a member of the fire safety scheme. If there is cladding on a building, it is necessary to have heat detection near to windows. A heat detector will alert residents. Octavia installed fire alarms, but the automatic opening vents did not work.

Query raised-did residents hear the alarm? One resident heard the alarm as they left the flat and firefighters were coming in with a fire hose. Residents felt that the alarm should go off in other buildings. One resident heard the alarm when she was the last person in the building. Someone broke the glass to activate the alarm. DAC Oparaocha noted that the alarm activates to open the vent but is not audible. The heat detection alarm is the only alarm that alerts the whole building. DAC Oparaocha noted the alarm was the issue the LFB gave notice on last summer. BC Wellman noted that Octavia is installing alarms now. One resident noted that she took day off work for appointment for contractor to install an alarm, but the contractor did not arrive.

Cllr Akram noted that residents wanted to know if the building was safe, the cause of the fire and asked if the LFB could clarify what the notice was given for. Post meeting note. This was a Notice of Deficiency (NOD). DAC Oparaocha noted that the notice was given for flat front doors and automatic opening vents. A recent Fire risk assessment was done. This would have been completed by an independent competent person. Generally, if a Notice of Deficiency is not complied with, we can extend the time needed to fix any issues. If the Responsible Person is not co-operating and/or the safety issues are deemed to be getting worse, the LFB would be likely to enforce the notice. This could include a prohibition notice. Residents noted that a meeting was planned for residents at King Edward court, but all residents would like a meeting with Octavia.

Query. When was the building handed back to Octavia? BC Wellman noted that the LFB issued a notice before the fire. After the fire, the building was handed back to Octavia on 2/2/24. A letter confirming the handover date was sent to Octavia last week. BC Wellman noted that Octavia have commissioned a Fire Risk Assessor to do the assessment.

Resident asked when the fire was put out. BC Wellman cannot give an exact time but can state when the incident was noted as stopped. DAC Oparaocha explained that messages are sent to the Control room throughout an incident asking for more resources and equipment. When fire is past its peak with no additional resources required, a stop message is sent to the control room. An example might be where smoke is still coming from a wooden structure, but crews have reached clean wood. We would send a stop message which means we have got this under control. There would still be a turnover of crews and LFB presence, but the issue has passed its peak. The stop message for Elm Road was sent at 8.48 am on 30/1/24. There was an LFB presence until 1pm on 2/2/24.

Query raised about water damage. BC Wellman noted that we try and salvage as much as possible but there will be water damage. Octavia will deal with recovery and sometimes the Local Authority will support that effort.

Query-Is there any chance of valuables being recovered from Petworth Court? Answer the LFB asked a Dangerous structures engineer to assess Petworth Court and the engineer advised that the building was not safe to enter so the LFB used aerial ladders to tackle the fire. This decision is taken by the Borough Commander and is how the building was handed back to Octavia. At the incident residents from other flats accessed their home to collect medication where it was safe to enter. Petworth Court was not safe to enter. Octavia would be responsible for putting measures in place to make Petworth Court safe.

One resident spoke about the need for weekly update meetings with Octavia and BC Wellman said it sounded like another meeting with Octavia, potentially with LFB present, is required.

BC Wellman drew the meeting to a close by confirming details about LFB's response to the first emergency call to this incident and the level of resources that were committed to the incident. He confirmed the building has a simultaneous evacuation policy and defended actions by firefighters who broke down some doors during the evacuation process. Residents were very understanding of this. BC Wellman praised the work of firefighters on scene and confirmed that none, nor any members of the public, had been injured in the incident. He told residents that firefighters had been humbled by the applause they had received from residents at a previous meeting.