

# HOUSING & REGENERATION SCRUTINY SUB COMMITTEE

Thursday, 9 September 2021 at 6.30 p.m.

Committee Room One - Town Hall Mulberry Place

This meeting will have limited public attendance capacity (see over) .

**Members:**

Chair: Councillor Ehtasham Haque

Vice-Chair: Councillor Marc Francis

Councillor Amina Ali, Councillor Victoria Obaze, Councillor Helal Uddin and Councillor Andrew Wood

**Co-opted Members:**

Anne Ambrose

Tenant Representative

Moshin Hamim

Leaseholder Representative

[The quorum for this body is 3 voting Members]

**Contact for further enquiries:**

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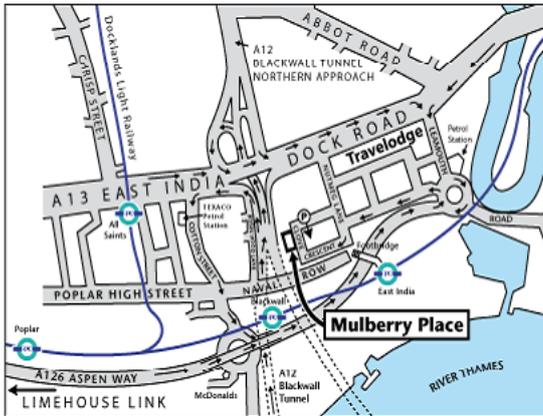
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## **APOLOGIES FOR ABSENCE**

### **1. DECLARATIONS OF INTERESTS**

**5 - 6**

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

### **2. MINUTES OF THE PREVIOUS MEETING(S)**

**7 - 12**

### **3. REPORTS FOR CONSIDERATION**

#### **3 .1 Social Landlords Performance Report**

**13 - 56**

#### **3 .2 Fire Safety Scrutiny Report**

**57 - 92**

#### **3 .3 Housing Allocations Audit Report and Intermediate Housing**

**93 - 100**

### **4. ANY OTHER BUSINESS**

#### **Next Meeting of the Sub- Committee**

The next meeting of the Housing & Regeneration Scrutiny Sub Committee will be held on Tuesday, 19 October 2021 at 6.30 p.m. in Committee Room One - Town Hall Mulberry Place

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# Agenda Item 1

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

### **(i) Disclosable Pecuniary Interests (DPI)**

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

**DPI Dispensations and Sensitive Interests.** In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

### **(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)**

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

### **(iii) Declarations of Interests not included in the Register of Members' Interest.**

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

### **Guidance on Predetermination and Bias**

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

### **Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting**

In such circumstances the member may not vote on any reports and motions with respect to the matter.

**Further Advice** contact: Janet Fasan, Acting Monitoring Officer, Tel: 0207 364 4800.

## APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either—  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE HOUSING & REGENERATION SCRUTINY SUB COMMITTEE**

**HELD AT 6.30 P.M. ON TUESDAY, 22 JUNE 2021**

**COMMITTEE ROOM ONE - TOWN HALL MULBERRY PLACE**

**Members Present in person:**

Councillor Ehtasham Haque (Chair)  
Councillor Marc Francis  
Councillor Victoria Obaze  
Councillor Andrew Wood

**Officers Present in person:**

Mark Slowikowski – (Strategy, Policy and Performance Manager)  
Joel West – (Democratic Services Team Leader  
(Committee))

**Members Present remotely:**

Councillor Helal Uddin  
Mayor John Biggs  
Councillor Eve McQuillan

**Co-optees Present remotely:**

Anne Ambrose (tenant representative)

**Officers Present remotely:**

Jennifer Peters – (Divisional Director, Planning and Building  
Control, Place)  
Mark Slowikowski – (Strategy, Policy and Performance Manager)  
Karen Swift – (Divisional Director, Housing and  
Regeneration)

**Others Present remotely:**

Ruth Bravery Lead volunteer of Friends in High Places  
residents group  
Yasmin Naqushbandi Chair of the resident associations at New  
Providence Wharf

**1. DECLARATIONS OF INTERESTS**

There were no declarations of interest.

**2. ELECTION OF VICE CHAIR OF THE SUB COMMITTEE FOR 2021-22**

Nominated by Councillor Victoria Obaze and seconded by Councillor Andrew Wood, it was:

**RESOLVED** that Councillor Marc Francis is appointed vice chair of the sub committee for 2021-22.

**3. MINUTES OF THE PREVIOUS MEETING(S)**

**RESOLVED:** That the minutes of the sub committee, 15 April 2021 were approved as a correct record of the proceedings.

**Matter arising**

3.1 - Social Landlords Performance Report – Councillor Marc Francis asked if the new performance targets be made available to the sub committee once agreed by the THHF sub group.

3.2 - Fire Safety progress report – Councillor Marc Francis emphasised that the council must be willing to exercise the leverage it has over RPs that fail to meet its expectations.

**4. REPORTS FOR CONSIDERATION**

**4.1 Housing & Regeneration Scrutiny Sub-Committee Terms of Reference, Quorum, Membership and Dates of Meetings 2021/22**

**RESOLVED** that the sub committee:

1. Noted its terms of reference, membership and quorum, and rules of procedure (including dates of 2021/22 meetings) as set out in appendices 1, 2 and 3 of the report.

**4.2 The sub committee's draft work plan 2021-22**

Some members of the sub committee indicated they would welcome additional items on (1) social housing white paper and (2) housing ombudsman changes. The chair welcomed the suggestions, but stressed that the scope/remit of the sub committee is very broad and it should strive to focus on those areas where it can add value.

**RESOLVED** that the sub committee's draft work programme 2021/22 as set out in the report is noted, subject to the following minor additions:

- Social Landlord Report September 2021, Spitalfields Hosing Trust to be invited.
- Exploring whether a challenge session or similar could be arranged between the December 2021 and March 2022 meeting.

## 5. FIRE SAFETY SCOPING SESSION

The chair introduced the Fire Safety Scoping Session. He explained that today's session was prepared in response to the fire in May 2021 at New Providence Wharf (NPW) and would seek to identify the lessons that need to be learnt on improving fire safety in tall buildings across the borough. The Chair explained that today's session would be an evidence gathering exercise, primarily looking at the residents' perspective and the evidence collected at this meeting would help to inform a 'deep dive' into fire safety at the September sub committee meeting.

At the request of the chair, Mayor John Biggs addressed the sub committee. Mayor Biggs set the context of future fire safety work by the council, particularly regarding private buildings. Mayor Biggs provided information on:

- Where responsibility lies for remedial works to buildings to improve fire safety. In short, the owner of the building bears ultimate responsibility.
- The Councils role and powers in promoting fire safety in private buildings. The council has constrained ability to intervene directly in most cases but has a lobbying/brokering and community leadership role. The Mayor explained how the council has been performing this role to date.
- Partnership work and initiatives the council has undertaken, including with the government, building owners and managers, and residents groups.
- The scale of fire safety and cladding risks in LBTH. The borough has more at-risk buildings than anywhere else in the country.
- Work undertaken to date by council to build and maintain a database on fire safety data and challenges around this, including financial challenges.

In response to questions from the sub committee, Mayor Biggs summarised the outcome from meetings and correspondence between the council and the NPW developer (Ballymore) and government representatives.

At the request of the chair, Ruth Bravery, lead volunteer of Friends in High Places residents group, addressed the sub committee. Ruth provided more context on the issue of fire safety from resident' perspective, including:

- The difficulty in calculating the scale of fire safety risk in high rises in LBTH.
- Impact of government guidance and unfair allocation of resources.
- The various practical and financial obstacles to building owners and leaseholders getting fire safety surveys and remedial works initiated.

- Difficulties leaseholders face when applying for national grants funding.
- Limited options and risks of homelessness, health and relationship breakdown for those faced with high repair bills.

Ruth then explained what residents in her organisation would like the council to do to address the situation. The initiatives proposed included:

- stop approving developments where developers haven't remediated existing buildings
- continue to meet and communicate with leaseholders; provide services to signpost affected residents to help and support, perhaps funding an advice service
- create a multi agency task force involving the Fire Brigade, managing agents and leaseholders
- gather economic evidence that might be used to lobby the government into more supportive action
- work with other London boroughs in the GLA to enable a louder London voice on this issue nationally
- stop approving HMO licences where they are in breach of the lease
- allocate section 106 or CIL for specialist fire equipment such as tall ladders or large fire engines.
- Push for commonhold or Resident Management Committees to be part of new developments so leaseholders can better manage such problems in future.

At the request of the chair, Yasmin Naqushbandi, chair of the resident associations at New Providence Wharf, addressed the sub committee. Yasmin described the experience of New Providence Wharf residents during and following the fire and outlined some lessons and requests for action from the council and building managers arising from them. They included:

- Evacuation procedures must be reviewed and this review must involve residents, because they will tell you how residents behave in an evacuation.
- Simple procedures must be put in all buildings in a form that all residents can understand, including those for whom English is not their first language.
- Fire alarm systems to be installed in all buildings. Waking watch initiative does not work in tall buildings and is not understood by all residents.
- The council should seek and consider views of residents in a developer's existing buildings as part of the consideration of further applications from that developer.
- The council should take the lead investigating the fire and learning to be drawn from it.

In response to questions from the sub committee, Ruth provided more details on the fire safety initiatives and procedures in the four buildings covered by her residents group. Evacuation procedures are different between the four buildings and not well understood by residents.

At the request of the chair, Councillor Eve McQuillan, Cabinet Member for Planning and Social Inclusion (Job Share) - Lead on Planning – addressed the sub committee. Councillor McQuillan provided an initial view from the executive on the initiatives that it had been suggested the council could pursue. Councillor McQuillan welcomed the suggestions and briefly summarised the council's powers with regard to fire safety in buildings it doesn't own. She also explained that, regrettably, some of the suggestions (including the suggestion regarding refusing planning applications) could not be progressed due to legal constraints on the council.

Further to the presentation and questions, the sub committee:

- Noted that fire safety risks are also applicable to low-rise housing blocks. Whilst tall buildings should be a priority, residents views on evacuation procedures should be sought for all buildings.
- Welcomed the contributions from all participants and in particular, the calls for greater resident involvement in fire safety, which it felt could add great value.
- Asked that the sub committee's final report include a focus on how the council can apply pressure to encourage action by developers and building managers in areas of fire safety over which it has no direct authority.

The chair stressed that the sub committee wishes to hear from all residents of all tenure types as part of its review into fire safety and encouraged registered providers and THHF to promote the review amongst their residents to encourage as wide a response as possible. The sub committee would aim to provide an email address where residents could direct their feedback.

## **6. PLANNING WHITE PAPER BRIEFING**

Jennifer Peters, Divisional Director of Planning and Building Control, provided a brief presentation on the 'Planning for the Future' white paper. Jennifer explained that the document, which was released in August 2020, proposed a large scale reform of the English planning system and current methods of calculating housing need. Jennifer then outlined each of the three 'pillars' of the white paper: Pillar One – Planning for development; Pillar Two – Planning for beautiful and sustainable places; and Pillar Three – Planning for infrastructure and connected places. Finally, Jennifer outlined the likely impact of the paper's proposals on Tower Hamlets, as:

- Infrastructure Levy – a new national levy may impact on income raised compared with the current system
- Engagement of residents and councillors – anticipate reduced opportunities for engagement at application stage
- Cost of delivery – more costly to produce a local plan related to a reduced timescale to do so.

Further to questions from the sub committee, Jennifer:

- Provided details of the council's response to the initial consultation. It was agreed a copy of the council's response would be sent to the members of the sub committee.
- Provided details of work being done in advance/anticipation of the new requirements.
- Explained that to date no resident engagement had been undertaken by the council on the white paper, but early engagement would be undertaken on preparation of any local plan.

Further to the presentation and questions, the sub committee:

Expressed concern that the proposals formed a 'developers charter': a permissive approach which would reduce involvement of local people and elected members and would allow inappropriate and over-development in the borough. The council should be vocal in its rejection of the proposed policies and join with the various groups opposing these proposals.

## **7. ANY OTHER BUSINESS**

There was no other business discussed.

The meeting ended at 8.05 p.m.

Chair, Councillor Ehtasham Haque  
Housing & Regeneration Scrutiny Sub Committee

Non-Executive Report of the:  <b>Housing Scrutiny Sub Committee</b>  9 September 2021	
<b>Report of Ann Sutcliffe, Corporate Director, Place</b>	<b>Classification:</b> Unrestricted
<b>Social Housing Landlords Performance Report – (Quarter 1,2,3 &amp; 4)</b>	

<b>Originating Officer(s)</b>	Shalim Uddin Affordable Housing Coordinator
<b>Wards affected</b>	All wards

### Executive Summary

Social Landlords in the borough produce quarterly performance data for key customer facing performance indicators so tenants and local residents can be assured they are delivering effective and customer focused services. The performance report attached at appendix 1 provides cumulative performance data from quarter one to four of the Social Landlords with homes in the borough.

### Recommendations:

The Housing Scrutiny Sub Committee is recommended to:

1. Review and note progress in the performance outturns achieved by individual Social Landlords and the overall performance trend.

### 1. REASONS FOR THE DECISIONS

- 1.1 The Chair of the Housing Scrutiny Sub Committee has requested the Social Landlord Performance be provided for every scrutiny meeting held to oversee the KPI performance of RP's and is improvement can be made to specific areas of delivery such as repair response times and resident complaint satisfaction levels.

### 2. ALTERNATIVE OPTIONS

- 2.1 Member review of Social Landlord performance to remain exclusively with the Cabinet Member for Housing.

### 3. DETAILS OF THE REPORT

- 3.1 Through the Tower Hamlets Housing Forum (THHF), the Council works with key registered providers who manage social rented stock in the borough. THHF through its Performance Management Framework has agreed a set of

key performance indicators (KPI's); to review and assess performance and drive performance improvements through the THHF benchmarking sub-group. Quarterly performance information is presented to the Statutory Deputy Mayor and Cabinet Member for Housing along with the Housing scrutiny Sub Committee for information. Good performance is an indicator of quality housing management and supports the Council in ensuring the borough is one that residents are proud of and love to live in whilst also support delivery of partnership priorities.

- 3.2** Each Registered Provider (RP) has its own governance arrangements for the scrutiny of performance and service delivery to residents. Targets for each service area are set at RP level by their respective Boards and Committees and the performance in the quarterly reports is scrutinised through their governance structures.
- 3.3** Cumulative performance information on the agreed list of measures below is attached at appendix 1.:
- % repairs completed in target
  - % respondents satisfied with last completed repair
  - % appointments kept as % of appointments made
  - % properties with a valid gas safety certificate
  - % residents satisfied with how the ASB case was handled
  - % complaints responded to in target
  - % Members Enquiries answered in target
  - Average re-let time in days (General Needs only)
  - % General Needs Income collected
  - % of tall buildings (over 18m) owned by RPs that have an up-to-date FRA in place
- 3.4** Appendix 1 outlines cumulative performance for quarters 1-4, five of the fourteen key registered providers who operate in the borough can produce borough specific data. These being Gateway, Poplar HARCA, Tower Hamlets Homes, Tower Hamlets Community Homes and Spitalfields. This is currently not possible for the remaining RSL's as they hold housing stock on a regional /national scale. In such instances, the Landlords are requested to manipulate data captured to provide the most accurate figure possible in relation to the borough.
- 3.5** As previously mentioned the Benchmarking subgroup have been working on a KPI definition Handbook since December 2020 with a focus group made of subgroup members from various RP's. The group has finalised a definition handbook to help complete the KPI form and revised the structure and questions of the KPI sheet. The new form will be sent to all THHF member RP's as of QTR1. The form is very much still in its early stages therefore, some adjustments are likely to be made to the form in the upcoming months however, the overall structure should remain the same. The Benchmarking subgroup going forward will decide what colour grading should be used once the KPI's have been submitted. This colour grading will be applied to all data

sheets and enable all RP's and the council some commonality in terms of the colours and what they represent.

**3.6** The new Handbook contains the definitions for each KPI to make it easier for the RP to understand what they need to report on for clarity. Furthermore, each and every RP has been asked to ensure they provide data specific to Tower Hamlets only. Where this data cannot be borough specific due to the RP holding stock nationally the RP has to provide commentary as to why. The KPI sheet will consist of data which is represented in number format rather than percentage for majority of KPI's in order to make sure both large and small RP's are represented as equally as possible. The new KPI form will contain a column labelled MLAP (Minimum levels of acceptable performance). This column will indicate if the RP is meeting their own set targets as it's not possible to set one target for every RP. This column should also help both Scrutiny Committee and the RP to track where RP's have consistently met or fallen short of their own targets.

**3.7 Please see below the finalised questions for the new KPI sheet.**

1. Number of stage 1 complaints received
2. Percentage of complaints responded to within target time
3. Number of stage 2 complaints received
4. Number of ME/MP enquiries received
5. Total number of re-lets
6. Average re-let time in days (standard re-lets)
7. Average re-let time in days (major works units, including time spent in works)
8. Number of units vacant but unavailable for letting at period end
9. Total number of emergency repairs completed year-to-date
10. Total number of non-emergency repairs completed year-to-date
11. Number of repairs appointments made
12. Number of repairs appointments kept
13. Satisfaction with repairs
14. The number of properties which had their gas safety record renewed by their anniversary date
15. FRA on percentage of buildings over 18 metres

**3.8** The table below displays the KPI's and in what format the RP has been asked to report back. As previously mentioned within this report the group have focused on trying to make sure data accurately takes into consideration RP capacity and stock size. Within the old format Rp's were reporting percentage's this meant smaller stock RP's often looked to be achieving very high levels in comparison to their counterparts that held larger stock. Where Percentages apply this is due to RP's using different methods to capture data and this making it difficult to specify in number format.

Code	KPI Component	Detail
1.	Number of stage 1 complaints received	Number
2.	Percentage of complaints responded to within target time	%
3.	Number of stage 2 complaints received	Number
4.	Number of ME/MP enquiries received	Number
5.	Total number of re-lets	Number
6.	Average re-let time in days (standard re-lets)	Number
7.	Average re-let time in days (minor and major works units, including time spent in works)	Number
8.	Number of units vacant but <b>unavailable for letting</b> at period end	Number
9.	Total number of emergency repairs completed year-to-date	Number
10.	Total number of non-emergency repairs completed year-to-date	Number
11.	Number of repairs appointments made	Number
12.	Number of repairs appointments kept	Number
13.	Customer Satisfaction with repairs as a % of completed repairs	%
14.	The percentage of properties with LGSR	%
15.	Percentage of FRAs for buildings over 18 metres	%

### 3.9 With regards to quarter four some key points to note are:

- 3.10** Clarion have improved in their Members response by going from 57% for Qtr 3 to 65% in Qtr4 an increase of 13.1%. However, their complaints response times has seen a decline going from 31% in Qtr3 to 26% in Qtr4. Spitalfields once again were not able to provide any data for KPI's 1,2 and 3. However, their THHF representative has confirmed they finally have a maintenance team in place and will be able to provide data from Qtr1 onwards.
- 3.11** Southern Housing achieved the lowest figure of repairs completed to in target (KPI 1) of 75% for Qtr4. This was a decline from their previous quarter submissions as they managed to achieve 95% for Qtr3 thus a decline of 23.5%.

- 3.12** L&Q operate the following service and operational level agreement in line with the Housing Ombudsman complaint handling code. Stage 1 Complaint: Acknowledgement of a customer's complaint with 24hrs and provide a resolution within 10 working days. On the basis of these two SLAs and OLAs L&Q report that in Q4 of last financial year, they achieved 88.3% (January & February) 88.4% (March) against the target of 90% for 24hr acknowledgement of a customer's complaint. 72.2% (January) 73.8% (February) 80.7% (March) against a target of 90% for resolution provided to the complainant with 10 working days. They have seen marginal improvement with both SLAs and OLAs for complaints across the board through a greater emphasis from the Exec Group to their front-line teams/depts and cross departmental collaboration in resolving complaints effectively and efficiently.
- 3.13 Some positive notes for the report were:**
- 3.14** Peabody and L&Q managed to achieve 100% in responding to member enquiries. Swan managed to obtain 100% in responding to complaints within target. Providence Row achieved 100% for ASB satisfaction levels and THCH achieved 100% of properties with a valid Gas (LGSR) safety certificate.
- 3.15** All RP's omitting Spitalfields have up to date Fire risk assessments in place for blocks above 18 Meters. Furthermore, relet times are improving across the board with all RP's only L&Q had 113-150 days for major or minor repairs for general needs only. Notting hill Genesis improved their appointments kept and made times from 59.8% in Qtr3 to 84 % in Qtr4 an improvement of almost 35%.
- 3.16** The THHF forum continues to be exemplary forum and a huge success, currently Pam Bhamra Chair of the forum is working with the council and LFB to promote better community engagement and will be supporting the LFB to set up their own forum/s consisting of stakeholders, residents. The LFB is hoping to replicate a similar forum to THHF due to its success. It will ensure lessons learned from incidents are shared and encourage long lasting change and a shift in residents' mindset and behavioural habits for the foreseeable future. In addition, it will ensure LFB have a better connection to their local community as recently an opinion poll carried out indicated people felt the LFB are only seen as "putting out fires".
- 3.17** The THHF exec and subgroups are in the process of creating the THHF Annual 2021 Report. The Report will capture the work carried out by the Exec and eight subgroups over the past year. Upon completion the Report will be distributed to all Idea stores council members and any council run sites in the borough. Digital copies will be circulated to the majority keeping in line the council's sustainability agenda. The report celebrates the hard work and success of council and RP partnership working, and as previously mentioned within the report the forum continues to set a precedent for other boroughs to try and emulate.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 There are no direct equalities implications arising from this report. The measuring tools used to capture feedback such as texts survey's phone calls are carried out to all residents irrespective of their age, gender, status, social, economic, and ethnic background.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
- 5.2 There are no direct Best Value implications arising from these reports, although if performance is further improved for performance indicators 1, 2 and 3 which relate to repairs, this may lead to improvements in working practices that will in turn improve efficiency and potentially reduce costs for Social Landlords.
- 5.3 Another indirect Best Value Implication is a landlord's ability to ensure its general needs income target (rent collection) is achieved.
- 5.4 The percentage of properties with a valid gas safety certificate directly relates to health and safety risks to residents. It is important that statutory compliance of 100% is achieved, and that landlord performance in this area shows continued improvements.
- 5.5 The percentage of tall buildings (over 18m) owned by Registered Providers that have an up-to-date Fire Risk Assessments (FRA) in place also has a direct health and safety impact. It is a statutory requirement to ensure an FRA has been completed and is up to date.
- 5.6 There are no direct environmental implications arising from the report or recommendations.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report provides an update to the Housing Scrutiny Sub-Committee on the performance of various providers of social housing (Social Landlords) that operate within the borough. This includes the comparative data for Tower Hamlets Homes which manages the Council's housing stock. There are no direct financial implications arising from this report.

## **7. COMMENTS OF LEGAL SERVICES**

The focus of the regulatory activities of the Regeneration agency Homes England and the Regulator for Social Housing (RSH) is on governance, financial viability, and financial value for money. The objectives of the social housing regulator are set out in the Housing and Regeneration Act 2008.

The regulatory framework governing social housing is made up of regulatory requirements, codes of guidance and regulatory guidance. The nine (9) categories of regulatory requirements are:

1. Regulatory standards – Economic (i.e., Governance and Financial Viability Standard; Value for Money Standard; and Rent Standard)
2. Regulatory standards – Consumer (i.e., Tenant Involvement and Empowerment Standard; Home Standard; Tenancy Standard; and Neighbourhood and Community Standard)
3. Registration requirements
4. De-registration requirements
5. Information submission requirements
6. The accounting direction for social housing in England from April 2012
7. Disposal Proceeds Fund requirements
8. Requirement to obtain regulator's consent to disposals
9. Requirement to obtain regulator's consent to changes to constitutions

In addition to RSH regulation, there is a Performance Management Framework ('PMF') agreed with the Council which also reviews the performance of the Social Landlords in key customer facing areas. These are monitored cumulatively every three months against 8 key areas that are important to residents. This has a direct bearing on the Council's priority to ensure that Social Landlords are delivering effective services to their residents who are also, at the same time, residents in the local authority area. This provides re-assurance for the Council that the main Social Landlords in the Borough are delivering effective services to their residents.

The regulatory requirements comprise standards including the Tenant Involvement and Empowerment Standard 2017 which states that social housing providers should ensure that tenants are given a wide range of opportunities to influence and be involved in the formation of their landlord's housing-related strategic priorities, decision-making about how services are delivered, performance scrutiny.

The regulatory powers will only be used if a standard has been failed and there are reasonable grounds to suspect that a failure has resulted in a serious detriment to the provider's tenants (or potential tenants) or there is a significant risk that, if no action is taken by the Regulator, the failure will result in a serious detriment to the provider's tenants (or potential tenants).

Although, the Council has no power to act against any Social Landlord (other than THH which it monitors already), the Council has enforcement powers to ensure that properties including Social landlord accommodation meet certain standards, contained in the Housing Act 2004. For instance, the Housing Health and Safety Rating System (HHSRS) is a risk assessment system focusing on identifying and tackling the hazards that are most likely to be present in housing to make homes healthier and safer to live in.

Therefore, although the review of the Social Landlords performance is not a legal requirement, it fits in with the Council's Community Plan aspirations for Tower Hamlets to be a place where people live in a quality affordable housing with a commitment to ensuring that more and better-quality homes are provided for the community.

The review also fits with regulatory standards requiring Social Landlords to co-operate with relevant partners to help promote social, environmental, and economic wellbeing in the area where they own properties.

The review falls within remit of the Housing Scrutiny Sub-Committee and accordingly authorised by the Council's Constitution.

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

- Social Housing Landlords Performance stats Quarters 1,2,3 & 4 2020-21
- Supporting Commentary and explanations from social landlords accompanying their KPI submissions.

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of "Background Papers" used in the preparation of this report**

- NONE

#### **Officer contact details for documents:**

- Shalim Uddin RP Coordinator

Appendix One

Q1, Q2, Q3, Q4 2020-21 RP Performance Figures

<u>Organisation</u>	1. % Repairs completed in target	2. % respondents satisfied with last completed repair	3. % appointments kept as % of appointments made	4. % properties with a valid gas safety certificate	5. % residents satisfied with how the ASB case was handled	6. % complaints responded to in target	7. % Members Enquiries answered in target	8. Average relet time (days)	9. % General Needs Income collected (n/i service charges)	10. % of tall buildings (over 18 metres) owned by RPs that have an up to date FRA in place	Quarter General Needs Stock Numbers
<b>Clarion HG Q1</b>	99.88%	91.00%	99.53%	96.20%	We do not currently report on this	53.00%	58.00%	119.0 days	95.88%	100.00%	4102
<b>Clarion HG Q2</b>	83.95%	83%	97.46%	99.81%	N/A	58%	50.00%	211 DAYS	99.69%	91.66%	3,995
<b>Clarion HG Q3</b>	84.13%	87.9%	97.11%	99.87%	Survey Programme Not started	31.00%	57.00%	165 days	99.22%	100.00%	3995
<b>Clarion HG Q4</b>	81.78%	87.60%	96.81%	99.60%	66.10%	26.00%	65.00%	N/A	100.94%	100.00%	3994
<b>EastendHomes Q1</b>	82.58%	95.90%	93.66%	99.83%	N/A	100.00%	42.86%	11.0	84.31%	100.00%	2243
<b>EastendHomes Q2</b>	90.01%	93.07%	97.73%	99.89%	N/A	94.43%	63.79%	40.2	90.56%	100.00%	2243
<b>EastendHomes Q3</b>	93.33%	93.57%	97.58%	99.94%	No completed survey's received	93.98%	72.31%	35.4	92.36%	100%	2243
<b>EastendHomes Q4</b>	94.72%	93.94%	97.75%	100%	60.00%	94.21%	79.78%	30	97.32%	100%	2243
<b>Gateway HA Q1</b>	65.00%	76.00%	N/A	99.56%	N/A	63.00%	100%	82	100.46%	100%	1922
<b>Gateway HA Q2</b>	85.00%	81.00%	97.00%	99.80%	67%	60.00%	100.00%	74	101.63%	93.00%	1886
<b>Gateway HA Q3</b>	88%	81.00%	97%	99.72%	75%	66%	96.15%	49	101.77%	100.00%	1886
<b>Gateway HA Q4</b>	90%	81.00%	98%	99.61%	66%	63%	89.61%	33	101.18%	100.00%	1886

<b>L and Q Q1</b>	78.42%	83.33%	90.91% (Overall percentage)	97%	N/A	61%	50%	49 days (after Minor repairs) 147 days (after Major repairs) General Needs Only	101.67%	96%	1367
<b>L and Q Q2</b>	85.01%	81.60%	91.2% (Overall percentage)	99%	N/A	80%	87%	109 days (after Minor repairs) 61 days (after Major repairs) General Needs Only	107.63%	100%	1365
<b>L and Q Q3</b>	82%	75.40%	97.10%	99.21%	N/A	91.34%	77%	57.3 (minor repairs only recorded during this period)	97.10%	100%	1,365
<b>L and Q Q4</b>	85%	78.13%	97.37%	99.71%	N/A	87.40%	100%	150 days (after Minor repairs) 113 days (after Major repairs) General Needs Only	106.80%	100%	1363
<b>Notting Hill Genesis Q1</b>	N/A	88%	N/A	99.03%	N/A	90%	80%	53.4	98%	100%	1634
<b>Notting Hill Genesis Q2</b>	N/A	87%	N/A	99.78%	N/A	82%	100%	63.9	100%	100%	1634
<b>Notting Hill Genesis Q3</b>	80.50%	88.90%	59.80%	99.91%	78%	81%	100%	53	98.82%	100%	1769
<b>Notting Hill Genesis Q4</b>	83%	90%	84%	100%	84%	93%	77%	49	100%	100%	1769
<b>One Housing Q1</b>	90.56%	N/A	87.74%	99.5%	100.00%	87.50%	73.91%	82.10	95.5%	100.0%	2876
<b>One Housing Q2</b>	92.29%	N/A	98.10%	99.9%	100.00%	72.00%	75.00%	94.00	99.6%	100.0%	2875
<b>One Housing Q3</b>	92.4%	N/A	98.3%	100.0%	N/A	68.0%	87.2%	38.8	94.8%	100.0%	2875
<b>One Housing Q4</b>	89.7%	N/A	99.3%	99.1%	N/A	67.2%	75.6%	58	101.2%	100.0%	8524

Peabody Q1	Average Speed Reported Instead	88.8%	Average Speed Reported Instead	99.0%	36%	No Target Set	No Target Set	60	96.0%	53%	1822
Peabody Q2	Average Speed Reported Instead	87.5%	Average Speed Reported Instead	100.0%	47%	No target set	No target set	61	97.0%	100%	1494
Peabody Q3	Average Speed Reported Instead	75.20%	Average Speed Reported Instead	100.00%	100%	This will be reportable from February 2021	This will be reportable from February 2021	41	98%	100%	1869
Peabody Q4	Average Speed Reported Instead	82.20%	Average Speed Reported Instead	100.0%	33.33%	66.67%	100%	57	99%	100%	1877
Poplar HARCA Q1	97.37%	98.60%	N/A	99.90%	82.35%	96.67%	96.77%	N/A	96.09%	100%	5542
Poplar HARCA Q2	98.78%	98.60%	N/A	99.90%	73.74%	94.67%	98.97%	142.97 Days	98.68%	100%	5379
Poplar HARCA Q3	98.95%	98.58%	N/A	99.83%	73.95%	96.75%	99.39%	146.1 Days	99.89%	100.00%	5302
Poplar HARCA Q4	98.68%	98.44%	N/A	99.88%	73.95%	95.85%	99.16%	147.8 Days	99.90%	100%	5339
Providence Row HA Q1	94.30%	95.00%	94%	99%	N/A	100%	100%	N/A	79%	100%	100
Providence Row HA Q2	94.40%	95.20%	94%	100%	No cases closed	100%	100%	N/A - no GN relets YTD	94%	100%	100
Providence Row HA Q3	92.30%	95%	94%	100%	no cases closed	83.30%	100%	44	94%	100%	100
Providence Row HA Q4	90.10%	93.70%	92%	99%	100%	86%	100%	44	100.19%	100%	100
Southern HA Q1	91%	No Data	N/A	100%	No Data	33%	73%	2	N/A	100%	1161
Southern HA Q2	95%	No Data	N/A	100%	No Data	63%	62%	20	N/A	100%	1159
Southern HA Q3	95%	Survey Programme Not started	N/A	100.00%	Survey Programme Not started	51%	64%	26	N/A	100%	2047
Southern HA Q4	75%	82%	N/A	100%	52%	55%	82%	16	N/A	100%	1159

<b>Spitalfields HA Q1</b>	92.27%	99%	98.05%	100%	100%	100%	100%	65.5	97.00%	N/A	732
<b>Spitalfields HA Q2</b>	99.90%	99%	76.00%	100%	100%	100%	100%	90	109.00%	N/A	732
<b>Spitalfields HA Q3</b>	No submission of stats maintenance team not in situ	No submission of stats maintenance team not in situ	No submission of stats maintenance team not in situ	100%	100%	100%	86%	21	99.42%	N/A	732
<b>Spitalfields HA Q4</b>	No submission of stats maintenance team not in situ	No submission of stats maintenance team not in situ	No submission of stats maintenance team not in situ	100%	100%	100%	75%	51.4	103.18	N/A	732
<b>Swan HA Q1</b>	97.51%	96%	97.58%	100%	N/A	100%	100%	34	90.10%	100%	1631
<b>Swan HA Q2</b>	97.07%	95%	97.01%	100%	N/A	100%	100%	32.3	100.00%	100%	1546
<b>Swan HA Q3</b>	96.07%	90.81%	96.43%	99.91%	100%	100%	100%	25.4	97.56%	100%	1546
<b>Swan HA Q4</b>	95.22%	91.91%	96.53%	100%	100%	100%	100%	22	103.52%	100%	1546
<b>Tower Hamlets Community Housing Q1</b>	94.80%	N/A - No surveys done during Q1- currently undertaking a resident survey	99.2%	100%	N/A	60.0%	60%	N/A - no lettings in Q1	90.90%	100%	2002
<b>Tower Hamlets Community Housing Q2</b>	96.00%	N/A	100.0%	100%	N/A	67.7%	95%	N/A	96.03%	100%	2002
<b>Tower Hamlets Community Housing Q3</b>	96%	Survey Programme Not started	100%	99.96%	N/A	63%	92.65%	62	98.10%	100%	2002
<b>Tower Hamlets Community Housing Q4</b>	98%	N/A	100%	100%	N/A	81%	58%	26	98.00%	100%	2003
<b>Tower Hamlets Homes Q1</b>	98.66%	N/A	N/A	99.31%	N/A	96.41%	84.87%	3.5	100.11%	43%	11,466
<b>Tower Hamlets Homes Q2</b>	98.60%	79.91%	N/A	99.80%	N/A	96.41%	89.51%	55.44	100.92%	100%	11,461

<b>Tower Hamlets Homes Q3</b>	98.08%	84.18%	N/A	99.83%	52.17%	96.82%	89.54%	59.91	100.59%	100%	11,465
<b>Tower Hamlets Homes Q4</b>	97.33%	84.91%	90.10%	99.99%	54.19%	97.78%	89.68%	72.24	100.71%	100%	11,465

key
n/a = The information is either not a PI measured by the RP; measured in a different way or is not available.
90% or lower
90-96%
97% and above
RP did not submit data for the Quarter

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QTR1 KPI RP COMMENTS		
<b>Southern HA</b>		
Previously we have never reported on:		Please note - We haven't carried out any surveys at all in Q1 20/21 so there is no data for any of our CSAT measures. % appointments kept as % of appointments made % General Needs Income collected (Rent including eligible service charges only)
<b>NHG</b>	*No.2 -	Not able to filter by Local Authority, 88% is for General Needs as a whole. *No.1/3/5 - This is not a metric that we currently use. Following the integration of systems, a review of repairs performance measures is underway and 'repairs completed in target' might be introduced but it isn't in place at the moment.
<b>Clarion</b>	Question	<b>Additional Information</b>
	6. % complaints responded to in target	<b>53%</b> - This quarter our "Complaints responded to in target" figure is lower as a result of the Covid-19 pandemic. Many complaints related to services which were on hold during the lockdown and have since resumed included non-emergency repairs, tree issues and grounds maintenance. As our services return to normal, we have begun to progress these complaints, the majority of which have since been closed. This may continue to impact our figures for Q2.
	7. % Members Enquiries answered in target	<b>58%</b> - See explanation above

	4. % properties with a valid gas safety certificate	<b>96.2%</b> - This quarter we have seen a small reduction in “Properties with a valid gas safety certificate” which can be attributed to the restrictions in place on visits following the Covid-19 pandemic and the understandable reluctance of tenants to allow our gas engineers into their home. We now have an active programme in place utilising additional resources, in order to target gas safety checks. We have also created a short video to show tenants how gas engineers will work safely within their home, to enable them to feel more confident.
	8. Average relet time (days)	<b>119 days</b> – Our “Average re-let time days” is based on our short-term general needs voids properties only, as we were unable to carry out any lets during April and May due to the Covid-19 pandemic. As a result, this has significantly increased our void turnaround times.

	<a href="#"><u>Info on submissions per RP. Qtr2 Comments</u></a>		
	<b>SH GROUP</b>	Please note - We haven't carried out any surveys at all in Q2 20/21 so there is no data for any of our CSAT measures.	
		Previously we have never reported on:	

		% appointments kept as % of appointments made	
		% General Needs Income collected (Rent including eligible service	
<b>EEH</b>		With regard to void turnaround performance, quarter one performance is 61.2 days and not 11 as previously reported as this did not include the days lost due to the government imposed no lettings period.	
		Additionally, please can RPS confirm the methodology used for calculating GN income as there is a wide variance in the quarter one performance.	
<b>THCH</b>	KPI 3	contractor reported data- unreliable from our perspective.	
-			
	kpi 4	1 property was out of target for 12 days. Access to given prior to a court order being required	
-			
-			
	KPI 6	this is unacceptable. 22 complaints and 222 days in total puts us just over target on average. renewed focus on customer satisfaction coming into winter should drive this down.	
-			
	KPI 8	We have has no end to end relets since the easing of Covid-19 lockdown restrictions. All our lettings have been focused on clearing that backlog.	
<b>NHG</b>		*No.2 - Not able to filter by Local Authority. 87% is for GN as a whole	

RP Commentary qtr3							
<b>Harca</b>							
		Relet times		<p>Poplar HARCA stopped social lettings from March to September, following guidance from the council due to the Covid-19 Pandemic; which has significantly affected the void loss and lettings performance.</p> <p>During this period we were only allowed to let properties on licences to help move residents into self-contained flats from communal living due to Covid-19 which helped reduce the overall impact of voids.</p> <p>If we excluded the period where we were unable to let properties the performance would be on average 48.4 days.</p>			
<b>PEABODY</b>		3. % appointments kept as % of appointments made		Apologies that there is no answer currently for question 3. The possibility of providing figures for this is being investigated.			
		6. % complaints responded to in target		This will be reportable from February 2021			
		7. % Members Enquiries answered in target		This will be reportable from February 2021			
				The relevant database has new fields added, which are currently being completed, but it will not be possible to report on these			

				retrospectively			
<b>Clarion</b>		<u>Question</u>	Additional Information/Source	<u>Notes</u>			
		<u>1. % Repairs completed in target</u>	Tower Hamlets figure	<p>Our Routine completion times are currently a national focus, as we have seen a reduction in performance for all regions in recent months. This can be attributed to clearing the backlog of our long overdue repairs. Whilst this has benefits to our customers by making sure we are addressing these repairs; it does have a detrimental impact on our routine completion KPIs.</p> <p>This will hopefully level out with the focus on scheduling new repairs within target and our continued work to ensure all repairs are dealt with.</p>			

		<p>5. % residents satisfied with how the ASB case was handled</p>	<p>National Figure</p>	<p>The % provided is the national average mean score across the following three questions: (1) The Clarion staff you dealt with her helpful(2) The Clarion staff you dealt with were efficient(3) The Clarion staff you dealt with kept you informedWhilst there was an increase in the % of customers being satisfied with the helpfulness of staff, there were reductions in satisfaction in being kept informed and in the perceived efficiency of the case. To mitigate the impact of the significant increase in case volume during the tiered and national lockdowns, all non-urgent ASB cases were allocated to our Neighbourhood Response teams to case manage. This enabled our specialist ASB teams to focus on the most urgent cases. Customer satisfaction is also likely to have been impacted by operational restrictions that had been applied to our ASB service (i.e., suspension of home visits, the temporary suspension of installing sound monitoring equipment). In order to improve upon our service delivery, we will have implemented a new specialist project team by Q1 2021/22 that will case manage non-urgent ASB cases. The implementation of our Manager Compliance Framework, which requires our managers to audit 40 ASB cases monthly, will also enable our teams to adopt continuous improvement practices.</p>			
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		6. % complaints responded to in target	Tower Hamlets figure	<p>During Q3 we received 136 complaints, this is compared to 90 in Q1 and 137 in Q2. The average response time for complaints in Q3 was 18 working days, compared to 12 in Q1 and 14 in Q2.</p> <p>The volumes received, and the resolution time is a typical seasonal increase, and this trend is also reflected in Clarion's overall resolution time. Clarion continues to offer a full service to all residents, although it's worth noting, that given the current Covid-19 situation and lockdown pressures on staff capacity, we anticipate there may be some increase in the response times to complaints and the action required to resolve any issues. We continue to monitor complaint returns closely and we anticipate the changes we have implemented; will ensure we continue to see improvements in turnaround times and have a demonstrable impact as soon as restrictions lift.</p>			
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		7. % Members Enquiries answered in target	Tower Hamlets figure	<p>During Q3 we received 137 MEs, this is compared to 63 in Q1 and 144 in Q2. The average response time for the MEs in Q3 was 11 working days, compared to 13 in Q1 and Q2.</p> <p>The volumes received, and the resolution time is a typical seasonal increase, and this trend is also reflected in Clarion's overall resolution time. Clarion continues to offer a full service to all residents, although it's worth noting, that given the current Covid-19 situation and lockdown pressures on staff capacity, we anticipate there may be some increase in the response times to MEs and the action required to resolve any issues. We continue to monitor ME returns closely and we anticipate the changes we have implemented; will ensure we continue to see improvements in turnaround times and have a demonstrable impact as soon as restrictions lift.</p>			
		8. Average relet time (days)	Tower Hamlets figure	This figure is based on the average relet time of 3 General Needs units (re-let time of 172.7 days) and 7 Supported Housing units (re-let time of 117.4 days)			
		9. % General Needs Income collected (Rent including eligible service charges only)	Tower Hamlets figure				
		10. % of tall buildings (over 18 metres) owned by RPs that have an up-to-date FRA in place	Tower Hamlets figure	This figure is based on 16 out of 16 blocks with 6 storeys plus			

THCH							
		KPI	THCH performance	Commentary			
		1. % Repairs completed in target	96%	Job turn-around for our 3 main contractors. Potential differences to other HP's due to the fact that some THCH routine repair jobs were held internally and shared with contractors at a later stage.			
		2. % respondents satisfied with last completed repair	Not collected	THCH has not resumed transactional surveys. We are in the process of instituting new survey offerings in advance of the new regulatory agenda. New contracts with our repairs contractors will cover this requirement in more detail and allow us to target customers at an earlier stage. Expectation to resume transactional surveys Q1 21/22			
		3. % appointments kept as % of appointments made	100%	Data provided by contractors. Strict definition of missed appointment's does not include rearranged appointments.			
		4. % properties with a valid gas safety certificate	99.96%	one property had fallen out of target because of absent tenants. Our compliance team liaised with our legal department and we are in the process of securing entry to all properties.			
		5. % residents satisfied with how the ASB case was handled	Not collected	THCH does not currently conduct satisfaction surveys after ASB cases. We are working on how we might collect feedback after ASB case resolution as part of a piece of work to improve ASB handling			
		6. % complaints responded to in target	63%	THCH has instituted new complaint handling procedures and ran staff workshops to share procedures and reinforce expectations. ~50% in target in Oct/Nov but improved performance to 89% in target in Dec.			

		7. % Members Enquiries answered in target	92.65%	High volumes of ME's.			
		8. Average relet time (days)	62 days	The reletting of void properties was suspended on 23 March 2020 and restarted in August 2020. Properties that became void prior to August are classified as Long-Term Void and do not contribute to the Average Relet Time KPI. 42 homes have been let so far this year. We continue letting empty homes. House Mark analysis suggests our historical void loss figures are consistently below sector average and continue to be so. Of the 42 homes we have let 12 are included in the average relet calculation, the average turnaround to date is 62 days.			
		9. % General Needs Income collected (Rent including eligible service charges only)	98.10%				
		10. % of tall buildings (over 18 metres) owned by RPs that have an up-to-date FRA in place	100%				
		Quarter 3 General Needs Stock Numbers	2002				
PRHA		Repairs		We are still having some issues related to the integration of the main contractor we appointed just prior the start of the whole Covid period into our system (basically it hasn't happened yet) so I hope it will be okay that the repairs indicators provided are provisional. If there are to be any changes, I			

				will try to get them to you early next week. I know this isn't ideal, but hopefully it will be acceptable and not cause you any problems with the process.			
<b>SHG</b>		Please note - We haven't carried out any surveys at all in Q3 20/21 so there is no data for any of our CSAT measures.		Previously we have never reported on:  % appointments kept as % of appointments made % General Needs Income collected (Rent including eligible service charges only)			
<b>NHG</b>		5. % residents satisfied with how the ASB case was handled		We don't survey this, but we monitor ASB cases resolved within our SLA (service level agreement) - We have provided the figure for this.			
		6. % complaints responded to in target		Key Issue: compliance with the process, whether that be following process, using new systems, meeting deadlines. This impacts satisfaction and is a regulatory/reputational risk.  Mitigation: An improvement action plan will focus on driving compliance with the use of enhanced dashboards, restating expectations, and training. This is complemented by business specific improvement plans; focussed on increasing quick fixes, improving the quality of complaint handling.			

		1. % Repairs completed in target		<p>Key Issues:</p> <ol style="list-style-type: none"> <li>1. Lack of visibility on the progress of complex repairs referrals which are managed by the Assets team, preventing the Housing Officer from responding to customer queries about the repair.</li> <li>2. Customer Experience for DPS repairs was inconsistent due to different processes in different parts of the Business.</li> <li>3. The emergency repairs process for one of our contractors was reliant on the Housing Officer to raise any follow-on work that was needed. It was identified that this could result in delays or repairs being dropped.</li> </ol> <p>Mitigations:</p> <ol style="list-style-type: none"> <li>1. Pilot of complex repairs referrals being managed end to end through our 'Workwise' system by the Assets team to streamline the process and give full visibility of complex repairs referrals to Local Officers. This will be rolled out across all areas if successful.</li> <li>2. Assets, housing, and business improvement teams worked together to map out a single consistent process with the focus on providing a good customer experience.</li> <li>3. The process has been changed so that contractors arrange follow on work for any Emergency Repairs that they carry out so that the problem is fully resolved for the customer.</li> </ol>			
		3. % appointments kept as % of appointments made		<p>There is a high probability that the score provided is lower than in reality because our contractors do not always report appointments that have been kept. The</p>			

				validity of the performance is being reviewed and will update on this in the Q4 report.			
<b>Swan</b>		2. % respondents satisfied with last completed repair		The figure is low due to low feedback and response from residents.			
<b>Eastend Homes</b>		General Comment:		<p>Service arrangements, in response to the pandemic, have been managed differently by the various RPs operating in Tower Hamlets and this may be reflected in some of the performance areas measured.</p> <p>Eastend Homes welcomes the opportunity to work with other Subgroup members to ensure there is a consistency in the definitions and methodology applied when determining performance.</p> <p>Specific Comment:</p> <p>1. Repairs Completions in Target</p> <p>This measures completion in target for Emergency (24 hours) and Routine (28 calendar days). With the exception of the first lockdown of Eastend Homes has continued to provide a full repairs service. The direction of travel since quarter one has been positive as demonstrated by the discrete quarterly performance.</p> <ul style="list-style-type: none"> <li>• Quarter One 82.25%</li> <li>• Quarter Two 96.78%</li> <li>• Quarter Three 99.31%</li> </ul>			

				<p>4. Properties with a Valid LGSR Performance of 99.94% represents one property where the current LGSR is older than 12months. Eastend Homes is pursuing legal action to obtain access.</p> <p>6. Complaints Answered in Target Performance of 93.63% represents three out of forty-seven complaints being responded to outside of the agreed target dates. Between April and December all Stage two and three complaints were answered in target.</p> <p>7. Members Enquiries Responded to in Target</p> <p>9. General Needs Income Collection Performance measure income collected as a percentage of rent due, including arrears bought forward, and both eligible and non-HB eligible service charges. When arrears bought forward are excluded performance is 96.83%.</p>			
<b>SPHA</b>				No submission / late submission expected.			
<b>THH</b>				Our market research partner, Kwest Research Ltd, carry out almost all our resident's satisfaction surveys including for repairs and ASB			

		ASB satisfaction:		Closed ASB cases are referred to Kwest who attempt to contact Kwest report This is measured			
		Repair's satisfaction:		THH provided an 'emergency-only' repairs service and paused all its satisfaction surveys from the first period of lockdown. Non-emergency repairs were put on the system but not actioned. By check when a full service was resumed, a backlog had arisen. With socially distanced working and large volumes of repairs being reported that backlog is still significant, and we believe is driving lower satisfaction ratings			
				The repairs survey was re-introduced in late August. Since that time satisfaction results have ranged from 75 -88%			
		Appointments made & kept:		Technical issues between our Northgate housing management system and Mears Appoint have meant THH has been unable to report on appointments made and kept all year. In previous years this was measured by our Contact Centre staff recording broken appointments (which underrepresented the			

				number not met) and then via a question in the repair's satisfaction survey i.e. a resident perception measure (which over presented the number not met). In 2020/21			
<b>SPHA</b>							
		1. % Repairs completed in target		Unfortunately, no data from our maintenance team. Since December 2020 we have had no maintenance team (internal issues), we have been running skeleton services therefore was not able to produce any data for that period.			
		2. % respondents satisfied with last completed repair					
		3. % appointments kept as % of appointments made					

<i>Info on submissions per RP. Qtr4</i>				
<b>HARCA</b>		NO INFORMATION PROVIDED		

<b>SWAN</b>		Lettings	As this is a rolling average this includes void properties that were delayed in letting at the start of the first lockdown.	
		Repairs	Since the end of the first lockdown, when the Government allowed repairs service to resume, we have worked with our repairs partner to provide a full repairs service. They have however occasionally been impacted by access to properties and the need for operatives to self-isolate.	
<b>THH</b>		Repair's satisfaction	This has been an exceptionally challenging year during the pandemic. Surveys were on hold in Q1 and restarted in August, since when the target was adjusted to 82%. Lots of customers have had to wait a long time for non-emergency repairs and we recognise that in some cases, appointments had to be re-scheduled to comply with government guidance, safe working practices, social distancing etc. Repairs now operating very close to business as usual so normal performance should return within a few months of start of the new year.	

		Gas safety	Although officially off target, this has been an exceptional turnaround and improvement from the position earlier in the year, when Covid restrictions, Court delays and nervousness from customers meant huge volumes of refusals, difficulties in access and inability to enforce. The position has almost completely recovered and normal practice is ongoing. This performance equates to just 1 non-compliant property.	

		<p>ASB satisfaction</p>	<p>THH ASB team have been operating from home and running as full a service a possible during lockdown with the exception of home visits. Interviews with victims and statements have been managed via email and telephone rather than face-to-face. • The ASB team have been able to obtain a number of injunctions and premises Closure Orders during this period due the serious nature of the cases and the need to put protection in place to prevent further harm to residents and the community. • Our Parkguard teams carried out home visit welfare checks of vulnerable residents during the lockdown. • Successful Summer and Autumn Operations run to target and disrupt the drugs market and the associated ASB to make our estates a safer place to live. • THH ASB Officers have been taking enforcement action against the top nominals who persistently engage in ASB and vandalism in and around THH blocks. • In partnership with the Police and Parkguard Ltd. Between April 20 and March 21, our ASB service attained: Ø 376 Arrests Ø 2072 Antisocial behaviour warnings Ø 577 Criminal intelligence reports Ø 209 Drug intervention referrals Ø Cash Seizures of £40K Ø Drug Seizures of £50K Ø 13 Closure Orders Obtained via the Courts Ø 9 Warrants Obtained and Executed Ø 3 THH targeted major ASB Operations Ø 39 Civil Injunctions. 020; reinstated in Q3</p>	

		Relets	COVID 19 restrictions, prioritising viewings for the Barchester Street new build scheme (115 units), an increase in the number of refusals, staff concerns and higher than usual levels of annual leave taken at year end has had a significant impact on void turnaround time performance.	
		Stock	Figure an estimate; subject to full year end stock reconciliation	
<u>L&amp;Q</u>		6. % complaints responded to in target	L&Q operate the following SLAs and OLAs in line with the Housing Ombudsman complaint handling code. Stage 1 Complaint: Acknowledgement of a customer's complaint with 24hrs and provide a resolution with 10 working days. On the basis of these two SLAs and OLAs we can report that in Q4 of last financial year, we achieved a 88.3% (January & February) 88.4% (March) against the target of 90% for 24hr acknowledgement of a customer's complaint. 72.2% (January) 73.8% (February) 80.7% (March) against a target of 90% for resolution provided to the complainant with 10 working days. We have seen marginal improvement with both SLAs and OLAs for complaints across the board through a greater emphasis from the Exec Group to our front-line teams/depts. and cross departmental collaboration in resolving complaints effectively and efficiently.	

<b>PRHA</b>		1. % Repairs completed in target	<p>In general, and in line with our stock size PRHA undertakes a relatively small number of responsive repairs for our general needs tenants each year. The Covid situation has also had an impact during 2020-21, both in terms of the number of responsive repairs and for targets met.</p> <p>Our end of year figure relates to 16 repairs for our general needs residents which were not undertaken to timescale. The reasons included: 5 x waiting for parts, 6 x second visit required to complete the repair, 4 x maintenance officer shortage, 1 x target date missed with no underlying reason.</p>	
		2. % respondents satisfied with last completed repair	Performance for this indicator has fallen relative to the previous year. We are exploring the reasons for this in order to address the decrease. Our next annual survey is due to be undertaken in May and this should assist with this process.	

		<p>3. % appointments kept as % of appointments made</p>	<p>Performance for this indicator was relatively stable for the first six months of the year, though below where we would normally expect it to be and below our internal target. Quarter 3 showed a drop in the percentage of appointments kept by our main contractor and while this improved within quarter 4 (95% in isolation) the effect of the drop in quarter 3 has served to reduce our year end figure to 92%.</p> <p>This is an area of priority for our tenants and is being addressed as such by our Property Services team and SMT.</p>	
		<p>4. % properties with a valid gas safety certificate</p>	<p>The yearend figure reflects single property where the anniversary date is within the last quarter of the year. Initial attempts were made to book an appointment with the tenant at the 10 month point in line with our procedures, but the tenant has continued to deny access and proceedings to gain access via a court order were initiated and are ongoing. However, within the last week the tenant has contacted Property Services with a repair request and our Housing Management Team have been able to negotiate access for the gas safety check to be undertaken 30th April. This is the same issue that we faced at the end of the previous year, which occurred within the same block.</p>	

		<p>5. % residents satisfied with how the ASB case was handled</p>	<p>PRHA has a low amount of general needs stock (100 units) and a low amount of reported ASB. The percentage figure recorded for the end of year is impacted due to these low number (see below).</p> <p>During this year we had two ongoing cases from the previous year and one new case. Of these three two cases have been closed. For one case the tenants of the block who responded were satisfied with the actions that were undertaken by PRHA, however one noted that they felt the case could have been addressed sooner. No feedback was received for the other case, which was closed following a period where no further reports were received.</p> <p>The remaining open ASB case is a complex case involving DV and has input and actions ongoing at the MARAC level. Our Housing Management team are discussing progress with MARAC and we may be closing the case soon.</p>	
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		6. % complaints responded to in target	<p>Whilst PRHA's performance for this indicator has fallen relative to the previous year the figure relates to a single complaint from a general needs resident that was not responded to in line with PRHA's targets. PRHA has a low number of GN units relative to other RPs in the group, and the number of complaints we tend to receive is correspondingly low, which has a magnifying effect when viewed in percentage terms. During the second half of the year PRHA reviewed its complaints policy and internal procedures against the Housing Ombudsman's Complaints Handling Code, and along with publishing the required self-assessment we have revised our Policy to fully meet with the Code's requirements. We have also created a new Complaints and Compliance Officer position to support the organisation and individual teams in responding to complaints in line with our procedures and with the Code.</p>	
		7. % Members Enquiries answered in target	<p>All Member Enquiries received during the year were responded to timescale.</p> <p>The number of enquiries received during this year more than doubled in relation to the previous year / the number that we would normally receive. But as a small provider and in line with our small stock size this will still be significantly lower than those received by other RPs in the borough which contributes towards being able to respond to all within</p>	

			timescale.	
		8. Average relet time (days)	<p>PRHA has a low number of general needs units and a relatively stable tenant base, with a correspondingly low number or re-lets each year.</p> <p>During 2020-21 this was further impacted by the Covid situation, which also had an impact on time to let. We have had one re-let during the year, in the second half of the year, with a re-let time of 44 days.</p> <p>Two other general needs properties were let within the last quarter of the year, but in both cases, this followed a period of major works related to our programme of fire safety works and are excluded from the figures in line with the definition.</p>	
		9. % General Needs Income collected (Rent including eligible service charges only)	While the proportion of income collected in relation to our general need's properties fell during the first two quarters of the year relative to the prior year, at year end this has improved and at 100.19% is marginally above our receivable figure.	
		10. % of tall buildings (over 18 metres) owned by RPs that have an up-to-date	No change during year	

		FRA in place		
		Quarter 4 General Needs Stock Numbers	No change in stock size	
<b>NHG</b>		No.4	This figure includes all Local Authorities - we cannot filter for Tower Hamlets only.	
		No.5	We don't survey this, but we monitor ASB cases resolved within our SLA (service level agreement) - we have provided the figure for all LAs.	
		No. 7	Key Issue: slight delay in assigning cases due to admin changes in the team, caused some delays in responding within timeframe but was rectified at the end of the quarter through dedicated cover being reassigned. Mitigation: MP enquiries in and out of target forms part of the new complaints dashboard which is key for performance management.	
<b>SHG</b>			Please note - We haven't carried out any surveys at all in Q4 20/21 due to Covid.	

<b>EASTEND HOMES</b>			NO INFORMATION PROVIDED.	
<b>CLARION</b>	1. % Repairs completed in target	Tower Hamlets figure	Throughout Q4, there has been a drive to clear the backlog of jobs created by the reduction in resource, which we experienced as a result of the Pandemic. This has resulted in a high percentage of jobs completed during this period already falling out of target. The initiative to clear the backlog of jobs has seen the number of overdue orders in this area, reduce significantly. This should ensure that we see a marked improvement in Q1 of 2021/22.	
	2. % respondents satisfied with last completed repair	Figures are provided on a National Basis	PENDING - QTR4 RESULTS NOT YET AVAILABLE	
	3. % appointments kept as % of appointments made	Tower Hamlets figure	Whilst we strive to ensure all pre confirmed appointments are kept, we are reliant on the resource available on any given day to achieve this. Due to the nature of the pandemic, sickness has increased and has been very sporadic, with operatives being required to test and self-isolate at very short notice, management of these appointments has proved difficult.	

	4. % properties with a valid gas safety certificate	Tower Hamlets figure	The difference in our results from Q3 and Q4 was mainly due to the second lockdown restrictions, which resulted in us being unable to access as many properties as foreseen.	
	5. % residents satisfied with how the ASB case was handled	National Figure	<p>We do not specifically ask this question, but we do carry out a general satisfaction survey which consists of a number of questions, that contribute to an overall national score. The % provided is the national average mean score across the following three questions:</p> <p>(1) The Clarion staff you dealt with her helpful  (2) The Clarion staff you dealt with were efficient  (3) The Clarion staff you dealt with kept you informed</p> <p>PENDING - QTR4 RESULTS NOT YET AVAILABLE</p>	
	6. % complaints responded to in target	Tower Hamlets figure	The Covid situation and lockdown pressures have impacted on staff capacity to respond and resolve issues. Our complaint response target for response is 20 working days; this was agreed internally at the start of the pandemic and in response to resource issues that were occurring. We have put in place new measures to improve our complaint response time. Complaint's performance continues to improve and in March 2021, 56% of complaints were responded to in 20 working days.	

	7. % Members Enquiries answered in target	Tower Hamlets figure	The Covid situation and lockdown pressures have impacted on staff capacity to respond and resolve issues. Our member enquiry target for response is 10 working days. We have put in place new measures to improve our response time. Performance continues to improve and in March 2021, 71% of member enquiries were responded to in 10 working days.	
	8. Average relet time (days)	Tower Hamlets figure	Due to restrictions with our Core reporting system, we are currently unable to report on re-let performance.	
	9. % General Needs Income collected (Rent including eligible service charges only)	Tower Hamlets figure	This is measured by combining charges issued and payments received, to achieve an overall % of General Needs Income Collected (rent including eligible service charges only).	
	10. % of tall buildings (over 18 metres) owned by RPs that have an up-to-date FRA in place	Tower Hamlets figure	This figure covers 15 blocks out of 15 blocks that are over 18m. We previously reported 16 blocks out of 16 blocks, this was due to a glitch in the data supplied.	

	11. General Needs Stock Numbers	Tower Hamlets figure	N/A	
<b><u>SPHA</u></b>			No data from Maintenance Team - As mentioned in my previous email, since Q3 we have had no staff in maintenance due to management decision. Recruitment is in process.	
			Average relets are high this quarter. This is because I am the only lettings officer and have been on bereavement leave.	
<b><u>Gateway HA</u></b>			NO INFORMATION PROVIDED	
<b><u>THCH</u></b>			NO INFORMATION PROVIDED	
<b><u>PEABODY</u></b>			Not been possible to provide an answer yet to 1. % Repairs completed in target	

<p>Non-Executive Report of the:</p> <p><b>Housing &amp; Regeneration Scrutiny Sub-Committee</b></p> <p>9<sup>th</sup> September 2021</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of</b> Councillor Ehtasham Haque</p> <p>Chair, Housing &amp; Regeneration Scrutiny Sub Committee</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Fire Safety Review</b></p>	

<b>Originating Officer(s)</b>	Mark Slowikowski, Strategy and Policy Manager (Place)
<b>Wards affected</b>	All Wards

## Executive Summary

The chair of the H&RSSC requested a review of fire safety across the borough, following the fire at New Providence Wharf (NPW) in May 2021 and invited residents to scope out the key areas of concern at the sub-committee meeting in June 2021.

This report sets out the outcome of the review and proposes a number of actions in response to the residents' concerns. The sub-committee is requested to approve the submission of the outcome document (scoping review) and the proposals to the Mayor for approval.

## Recommendations:

The H&RSSC is recommended to:

1. Approve the outcome of the fire safety review and recommend to the Mayor the proposals set out in appendix 2 to this report.

## 1. REASONS FOR THE DECISIONS

- 1.1 The Housing and Regenerations Scrutiny Sub-Committee (H&RSSC) has previously explored a range of issues concerning fire and building safety. A scrutiny review undertaken in 2017, following the Grenfell fire, led to a Fire safety Action Plan that was recommended to Cabinet for closure in April this year as all the actions had been completed.
- 1.2 The review of fire safety following the fire at NPW and the associated proposals will guide the council's ongoing fire and building safety work in collaboration with its PRP partners and builders/developers operating in the borough.

- 1.3 Operationally, officers will continue to focus on managing private sector ACM remediation, collecting EWS data on behalf of the MHCLG and responding to residents' concerns on building and fire safety issues.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The alternative option is not to recommend that the Mayor adopts the proposals or that only some of them are adopted. This is not recommended as the review that led to these proposals was predicated on clearly stated concerns that residents expressed at the fire safety scoping session at the June sub-committee meeting.

## **3. DETAILS OF THE REPORT**

### **The National Picture**

- 3.1 Four years on since 72 people died in the fire at Grenfell Tower, the National picture on building safety remains centred around removal of ACM cladding from all blocks of flats, comprehensive data collection on external wall systems in blocks over 18 metres and legislative reform/changes in the form of the Fire Safety Act 2021 and the Building Safety Act.
- 3.2 At the same time, a range of fire or building safety issues have been uncovered in tower blocks across the country that have left thousands of residents living in unsafe, unsellable homes. These include flammable non-ACM cladding such as PVC and issues with fire breaks, fire doors, insulation, balconies, and compartmentation breaches.
- 3.3 According to MPs on the House of Commons housing, communities and local government select committee, the government needs to:
- establish a comprehensive building safety fund that means no leaseholders are required to pay for the removal of dangerous cladding
  - give social landlords more access to government funding for cladding removal and other fire safety measures
  - require industry, including possibly manufacturers and suppliers, to pay towards fire safety
  - scrap a proposed loan scheme for leaseholders in buildings less than 18 metres high
  - pay more attention to the physical and mental toll fire safety is having on residents
  - assess the impact the cladding scandal is having on the housing market
- 3.4 The HofC committee held its latest inquiry into fire safety earlier this year. In conclusion, it says that extra government funding for cladding removal is being 'swamped' by the scale of fire safety issues that have emerged in multi-occupancy buildings since the fire at Grenfell in 2017.

- 3.5 In 2020, the government announced a building safety fund, worth £1bn, for the removal of non-ACM cladding. This was in addition to £400m offered to councils and housing associations in 2018 for removing ACM cladding.
- 3.6 During the past year, most attention has been focused on leaseholders, some of whom are being asked to pay substantial bills by building owners. The select committee's view is that leaseholders should bear no cost whatsoever for the remediation of building safety defects that were not of their making.
- 3.7 The Government has so far resisted pressure to ensure no leaseholders face bills for fire safety measures but is promising further money for cladding remediation on high-rise residential buildings that are above 18 metres or six storeys high.
- 3.8 Despite an estimated 11 million people living in homes that require cladding to be removed or suffering from other fire safety issues, many are not eligible for Government funds. During the past 12 months, the UK Cladding Action Group has lobbied MPs and media organisations as part of the *End Our Cladding Scandal* campaign.
- 3.9 In response, in February 2021, the Government committed to:
- An extra £3.5bn towards cladding remediation for high-rise residential buildings above 18 metres (six storeys), on top of £1.6bn already committed.
  - A long-term loan scheme towards the costs of cladding remediation for buildings between 11 metres (four storeys) and 18 metres, with a maximum monthly payment of £50 per leaseholder.
  - A developer levy payable when seeking to build certain high-rise buildings in England.
  - A new tax for the UK residential property development sector predicted to raise £2bn over ten years towards cladding remediation.
- 3.10 More recently, in April 2021, the Fire Safety Bill received royal assent, but without a clause to protect leaseholders against large bills for removal of cladding and other safety defects.
- 3.11 The HofC Committee also highlighted the toll that the cladding crisis is having on residents after a year when people have been required to spend more time than ever at home. Last year, the UK Cladding Action Group published a report showing the effect this is having on people's mental health.
- 3.12 In its 2020 report, the HofC committee asked the government to offer NHS support for the physical and mental health needs of residents in affected buildings and to provide signposting to services for residents worried about their safety or financial situation.
- 3.13 Last year, the government launched a £30m fund for 24-hour waking watch patrols. The money can be used towards alarm systems in buildings more than 17.7 metres high that have unsafe cladding and where the costs of

waking watches are being passed on to leaseholders.

- 3.14 Buildings owned by social landlords are only eligible where it can be shown that the cost of a waking watch have been passed to leaseholders and that the costs of installing an alarm would also fall on leaseholders.
- 3.15 The fund will support between 300 and 460 buildings, but in London alone, there are 590 buildings with a waking watch. MPs want the fund to be expanded to include all interim fire safety costs, including buildings less than 17.7 metres high.
- 3.16 Uncertainty over building safety is having a significant effect on the wider housing market. This is partly due to a need to complete an EWS1 form on selling or re-mortgaging. The form was introduced in 2019 for valuation purposes and is not a statutory requirement, even though many lenders demand them.
- 3.17 New guidance on EWS1 forms in the Government's announcement on the 21<sup>st</sup> July 2021, stated that EWS1' forms should no longer be requested by lenders when leaseholders are trying to sell flats in blocks below 18 metres.
- 3.18 A group of major high street lenders has committed to review their practices following the new advice; HSBC UK, Barclays, Lloyds Banking Group and others have said that the expert report and Government statement paves the way for EWS1 forms to no longer be required for buildings below 18 metres and will help further unlock the housing market.
- 3.19 In summary, as chair of this sub-committee, the National picture in terms of improvements to fire safety in tower blocks is that they are taking far too long and the government has become embroiled in an argument with residents, building owners and even its own MPs over what is fair. Leaseholders are deemed worthy of help if they live in a tall tower block but must take out a loan if they live in a low-rise building.

### **The Policy Framework**

- 3.20 There are three new government policy/legislative changes which have led to the need for the council and THH to develop a Shadow Building Safety Framework, to ensure the preparedness of delivering necessary building safety requirements responsibilities:
  - Building Safety Bill/Act
  - Fire Safety Act 2021
  - Building Safety Regulator
- 3.21 **The Building Safety Bill** - which sits alongside the recent Fire Safety Act was introduced on 5 July 2021. The Bill will improve the fire and structural safety of new and existing residential buildings and focuses on accountability and responsibility at each stage of a building's lifecycle. This includes duty holders during the planning, design, and construction stage of a building. The Bill

establishes two new roles for buildings in occupation; the Accountable Person and Building Safety Manager.

- 3.22 As of 21<sup>st</sup> July 2021, the Bill had passed the second reading stage in the house of commons. The Bill is anticipated to receive Royal Assent between April to July 2022 and be fully implemented 12 months later in 2023.
- 3.23 **The Fire Safety Act 2021** - received Royal Assent on 29 April 2021 and includes a requirement to consider the spread of fire across external surfaces of buildings. For the council, this means that we will have to prioritise our existing programme of external wall system (EWS) surveys. It is proposed that THH's new Fire Safety Manager will take a leading role in this respect and manage the programme of inspections
- 3.24 the act also contains a requirement to ensure that front entrance doors and balconies are included within the scope of fire risk assessments and that they are in good condition and fit for purpose. This applies equally to tenanted and leasehold properties and it is envisaged that the "Building Safety Officers" will play a key role in enforcing this.
- 3.25 **Building Safety Regulator** - as announced in the Queen's speech of 11 May 2021, a new Building Safety Regulator will be established, which will sit under the Health and Safety Executive (HSE). The new regulator will provide oversight of building safety in the housing industry and will have the power to prosecute property developers and landlords that do not meet safety standards as set out in the Building Safety Bill. The Government anticipates the Regulator to be fully established between July 2022 to January 2023.
- 3.26 The council working collaboratively with THH, has begun planning for the introduction of Bill. An internal Building Safety Bill Group has been established and meets monthly to progress matters.

### **The Local Context – Fire at NPW**

- 3.27 The borough is home to the largest number of tower blocks in the country, with many blocks needing work to remove combustible cladding as a direct result of the Grenfell tragedy four years ago. A total of 293 bids from building owners in Tower Hamlets have been made to the Government's building safety fund to help finance the works, followed by Manchester (144), Newham (138) and Westminster (125).
- 3.28 Landor Residential - a subsidiary of Ireland-based international property developer Ballymore - owns the freehold at NPW, the 19 storey, 559-apartment complex that houses over 1,000 residents. The block that caught fire has some ACM cladding and the issue of who pays for the removal of this cladding has been a long-running issue with leaseholders living in the block.
- 3.29 In 2019, NPW residents were given two weeks to accept an offer where Ballymore would pay for 20% of the works and provide a no-interest bridging loan to leaseholders, or risk having to foot the entire bill themselves. This was

issued before the government set up its £200m ACM removal fund for private developments.

- 3.30 Speaking in parliament earlier this year Apsana Begum, MP for Poplar and Limehouse, commented on the remedial works, saying that residents had been told work would start in the spring. She also said that the full costs of remediation of fire safety issues at the development could be between £12.5m and £25m.
- 3.31 This estimate has been revised and recently now stands at below £12.5m. Ballymore has committed to paying £1.5m towards the costs of remediating all facade remediation projects at the development and has submitted applications to the ACM Cladding Fund and the Building Safety Fund and has had £8m of grant funding approved by the government to go towards the work. It is understood that this is the full amount of money applied for.
- 3.32 Ballymore have said that “The safety of our residents is paramount. We see our developments as communities and neighbourhoods of people, not just physical buildings. We are committed to delivering a safe and comfortable environment for all our residents, which is why we maintain management of our estates even after all the homes are sold.”
- 3.33 They have further said that the work needed to replace the ACM cladding on this building is extremely complicated, much more so than the installation of a new build façade, because the building is horseshoe-shaped and opens directly onto the River Thames. Ballymore have said that to replace elements of a building facade, under this set of circumstances, is an extensive process.

### **Scrutiny Review (deep dive)**

- 3.34 Following the fire at NPW last May, when 20 fire engines were called to the 8<sup>th</sup> floor blaze, I invited two residents to attend the sub-committee meeting held on the 22<sup>nd</sup> June 2021. My specific request was that the residents help scope out a review of fire safety focussing on what lessons could be learned from the fire and what could be done to mitigate fire risks.
- 3.35 Residents from two key action groups attended the meeting and provided information that led to the fire safety review scoping document being prepared.
- 3.36 Ruth Bravery, lead volunteer of the Friends in High Places leaseholder group – a self-help group for resident leaseholders from 40 sites around the Isle of Dogs and local neighbourhoods in LBTH – representing approx. 9,000 flats, and Yasmin Naqushbandi, chair of the New Providence Wharf Leaseholder & Resident Association.
- 3.37 Following the scoping session at the 22<sup>nd</sup> June sub-committee meeting, I requested that officers produce a scoping document that set out the 17 key questions that were put forward by residents on fire and building safety.

- 3.38 The review was undertaken, on my behalf by officers from the Strategy and Policy (Place) Housing team who focus on housing and regeneration issues. They worked with the council's core operational team who are involved in dealing with operational fire safety issues. This team manages ACM remediation in the private sector and obtains external wall system (EWS) data as part of the MHCLG's data collection requirement.
- 3.39 The review process examined the 17 key areas that residents had said concerned them most and involved meetings with relevant officers from across the council to formulate the council's response.
- 3.40 Further discussions were held with the two residents invited to give evidence at the scoping session to obtain supplementary feedback on the issues raised and meetings were held with external agencies including the LFB and PRP partners, developers and builders operating in the borough.
- 3.41 Progress on the review work was reported to the weekly Fire Safety Meeting, chaired by the Divisional Director for Housing and Regeneration, and attended by key officers working on fire and building safety from across the council
- 3.42 The aim of the review was to ensure the outcomes focussed on practical improvements that would resonate with residents and would inform the council's fire and building safety agenda going forward. The 17 questions were categorised into 5 core areas:
1. What powers can we use?
  2. What can be communicated better?
  3. What can we fund?
  4. Where to focus our lobbying?
  5. Which ways of working can be improved?
- 3.43 Appendix 1 – Fire Safety Review Scoping Document - contains the outcomes of the review and Appendix 2 – Fire Safety Proposals - is a distillation of these outcomes into proposals across the 5 core areas. For ease of reference, the proposals are given below:
1. Ensure Fire Statements submitted to the council by developers/builders as part of the Planning process are robust and address all known fire safety issues.
  2. Investigate the promotion of "Commonhold" with our PRP partners, builders, and developers.
  3. Explore regular Quarterly meetings between the Mayor/officers and Leaseholders.
  4. Further publicise the council's building safety pledge to residents, building owners and PRPs
  5. Set up a fire safety portal that contains clear information for homeowners, tenants, leaseholders and clarifies the role of Housing Associations, builders, and developers.

6. Ensure the council's revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.
  7. Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment.
  8. Continue to lobby the Government with our PRP partners for increased funding for independent advisory services at every opportunity.
  9. Raise gathering of economic data/cost implications of building safety issues at the LHD FSG meeting to enlist the support and collaboration of other councils and PRPs.
  10. Review the findings of the final LFB report into the fire at NPW with our PRP partners, building owners and developers.
  11. Work with our PRP partners and building owners and developers to implement the Building Safety database.
  12. Explore the feasibility of contributing to the Building Safety Map with our PRP partners and building owners.
  13. Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.
  14. Work with PRP partners and LFB to develop a fire safety video and other engagement/communication material to promote fire safety.
  15. Establish a *Tower Hamlets Fire Safety Forum* with LFB and THHF partners to examine evacuation procedures and to promote appropriate fire alarms and signage.
  16. Establish a Resident and Landlord Fire Safety Forum to ensure effective resident involvement and collaboration in all relevant fire safety issues.
- 3.44 I acknowledge that It has not been possible to action every one of the 17 key questions posed as the council is constrained by legal and financial practicalities in some areas.
- 3.45 Further detail on the work associated with the scrutiny review includes Appendix 3; the template for the council's revamped web pages that will form the Fire Safety Portal.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 The Public Sector Equality Duty (as set out in the Equality Act 2010) aims to embed equality considerations into the day-to-day work of public bodies, so that they tackle discrimination and inequality and contribute to making society fairer. The actions proposed in the 'The Fire Safety Action Plan 2021 to be taken by the council in respect of ensuring fire safety in the borough reflect this duty.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 There are no other statutory implications identified at this stage. The council's work going forward on fire safety is considered to be commensurate with all its best value, environmental and safeguarding responsibilities.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report provides an update on the outcomes of a fire safety review across the Borough following the Grenfell Tower fire four years ago and the more recent fire at New Providence Wharf. The report and appendices detail a number of proposals and requests their approval and recommendation to the Mayor for formal approval.
- 6.2 As a result there are no financial implications directly emanating from this report. However, should the proposals be formally adopted then there are likely to be additional revenue costs in the form of staff resources as this work would fall outside of the scope of the work being undertaken by the existing Fire Safety team. Further work will be undertaken in scoping this resource should the proposals be approved. Any additional resources will need to be contained within approved budgets and as part of the Council's MTFS process for 2022/23.
- 6.3 The adoption of these proposals will have no impact on the capital programme.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements which ensure the committee has specified powers. Consistent with that obligation Article 6 of the council's constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full council or the Executive, as appropriate, in connection with the discharge of any functions. It is consistent with the constitution and the statutory framework for the committee to be asked to comment on the matters set out in the report. Other scrutiny panels may be established by the Overview and Scrutiny panel which include the Housing and Regeneration Scrutiny Sub Committee. The report seeks the approval of the fire safety review proposals set out in Appendix 2 of the report.
- 7.2 The proposals of the review appear to be capable of being carried out within the council's powers. With regards to the recommendations and proposed actions, details of much of the relevant legislation (including further legislation such as the Building Safety Bill likely to be enacted in the next 12 months) is included in the body of the report.
- 7.3 S.3 of the Housing Act 2004 (the Act) places a duty on local housing authorities to keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them. This includes undertaking inspections to identify hazards and taking appropriate enforcement action where serious hazards are identified. Hazards that can be addressed using these powers include the risk of harm associated with exposure to uncontrolled fire and associated smoke.

- 7.4 S.10 of the Act imposes a duty on local authorities to consult with the fire and rescue authority where enforcement action is to be taken in relation to a prescribed fire hazard.
- 7.5 As detailed in paragraph 4.1 the council is required when exercising its functions to comply with the duty set out in section 149 of the Equality Act 2010, namely, to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity between those who share a protected characteristic and those who do not and foster good relations between those who share a protected characteristic and those who do not.

## **Linked Reports, Appendices and Background Documents**

### **Linked Reports**

- None.

### **Appendices**

- Appendix 1 – Fire Safety Review Scoping Review Document.
- Appendix 2 – Fire Safety Proposals.
- Appendix 3 – Fire Safety Portal – Web Template.

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

- None

#### **Officer contact details for documents:**

Mark Slowikowski, Strategy and Policy Manager (Place) - 020 7364 3158

No.	Ask of LBTH	Response	Proposal
1. Powers	Stop approving developments where developers have not yet remediated existing buildings.	<p>The council has obtained legal advice on this matter as in addition to the ask by residents, the H&amp;RSSC requested that the final report focuses on how the council can apply pressure to encourage action by developers and building managers in areas of fire safety over which the council has no direct authority.</p> <p>Planning applications are determined in accordance with the development plan unless material considerations indicate otherwise as set out in s38(6) of the Planning and Compulsory Purchase Act 2004. The conduct of a developer or applicant on another development is not a material consideration.</p> <p>Therefore, this is not possible because an application has to be decided on its merits. The identity of the applicant for planning permission is irrelevant when considering the merits of an application for planning permission. It would not be a material planning consideration.</p> <p>In reviewing this area, the council considered a proposal put forward at LB Newham that officers ask developers if they have blocks elsewhere that haven't had remediation works and that this is flagged in committee meetings. The legal advice received confirmed that this approach carries a risk of a Judicial Review claim by the applicant alleging that an error of law has been made and as a result, this approach will not be adopted by the council</p>	No further action is possible - Report outcome to H&RSSC.
2. Powers Page 67	Stop approving HMO licences when they are in breach of the lease	<p>The process of issuing HMO licences is governed by legislation and there is little action we can take outside this process.</p> <p>There have been previous matters brought before the First Tier Tribunal in relation to HMO's and breach of leases, unfortunately the Tribunals have stated that these are civil matters and should not be considered when issuing licences. If the freeholder is minded to, they will need to take relevant action under the lease conditions.</p> <p>On issuing licences, the freeholder/managing agent etc. will get a copy of the intention to grant a licence and the final grant of a licence enabling them to review the fire loading/ people in the building that will need to be reflected in their risk assessment.</p> <p>The risk of not licencing these premises, is that there will be no control and properties will still be multi-let. Therefore, the council cannot stop approving HMO licences if legalities are complied with.</p>	No further action is possible - Report outcome to H&RSSC.
3. Powers	The council to set criteria for planning applications which give strength to the residents' voices. Consider a system where residents of buildings already built by a developer are asked to give a reference as part of the planning application	<p>Planning applications are determined in accordance with the development plan unless material considerations indicate otherwise as set out in s38(6) of the Planning and Compulsory Purchase Act 2004. The conduct of a develop/applicant on another development is not a material consideration.</p> <p>The London Plan (2021) includes a policy on fire safety. The London Plan is now part of the development plan and the council is applying this policy to relevant developments in the borough. In addition, 'gateway 1' came into force from 1<sup>st</sup> August 2021 and requires applicants to submit a fire statement which is then assessed by the HSE as part of the statutory consultation process.</p>	Ensure Fire Statements submitted to the council by developers/builders as part of the Planning process are robust and address all known fire safety issues.

	process, focusing on safety - . This would concentrate the minds of the developers on safety as priority in the building they have built or manage.	Planning gateway one, the first gateway in the new building safety regime, has been introduced via amendments to secondary planning legislation rather than the Building Safety Bill. It helps ensure that applicants and decision-makers consider fire safety issues relevant to planning such as site layout, water supplies for firefighting purposes and access for fire appliances. This gateway point brings forward thinking on fire safety matters as they relate to land use planning to the earliest possible stage in the development process by requiring a fire statement with relevant applications for planning permission for development which involves one or more relevant buildings. The Health and Safety Executive will be a statutory consultee to provide local planning authorities with fire safety input on proposals.	
Page 68	4. Powers Push for commonhold or Resident Management Company to be part of new developments so leaseholders can better manage such problems in future.	<p>A new form of tenure, commonhold, was introduced by the Commonhold and Leasehold Reform Act 2002. One of the aims was to overcome the disadvantages of leasehold ownership. It was assumed that, once in place, commonhold would become the standard form of tenure for new-build blocks of flats. The Government published a Ministerial Statement on Commonhold in January 2021.</p> <p><a href="#">Leasehold, Commonhold and Ground Rents - Monday 11 January 2021 - Hansard - UK Parliament</a></p> <p>On the 2<sup>nd</sup> August 2021 the Government published a House of Commons Paper on Leasehold and Commonhold reform advocating commonhold as the default tenure in place of leasehold. As this is a very recent publication, Legal advice on the matter is being sought.</p> <p><a href="#">Leasehold and commonhold reform - House of Commons Library (parliament.uk)</a></p> <p>Council officers should hold a discussion with developers about commonhold ownership at a future meeting of the Developers’ Forum.</p> <p><a href="https://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?Cid=309&amp;MID=10253#AI104552">https://democracy.towerhamlets.gov.uk/ieListDocuments.aspx?Cid=309&amp;MID=10253#AI104552</a></p>	<b>Investigate the promotion of “Commonhold” with our PRP partners, builders, and developers.</b>
5. Comms	Regularly meet with affected leaseholders	<p>We already meet with a number of different groups of leaseholders. Officers attend resident led meetings at present on an “as and when requested” basis and where availability allows. However, with a large number of buildings with ACM applying to the Government’s Building Safety Fund (293 in Tower Hamlets) and more buildings being identified with cladding issues arising from EWS survey (to date 23 additional buildings have been identified with ACM from the EWS survey and 34 blocks with HPL – High Pressure Laminate cladding) the number of leaseholders and buildings involved continues to increase.</p> <p>The council runs regular <i>Ask the Mayor</i> sessions and will explore regular leaseholder focussed meetings with the Mayor and relevant officers. The last meeting was held on the 22<sup>nd</sup> July and residents put questions directly to John Biggs, the Mayor of Tower Hamlets, Richard Tapp, Borough Commander, London Fire Brigade, and Will Manning, Director of Asset Management, Tower Hamlets Homes.</p>	<b>Explore regular Quarterly meetings between the Mayor/officers and Leaseholders.</b>
6.	Communicate regularly with leaseholders – tell us what	<p>The council launched its building safety pledge on the 22<sup>nd</sup> July 2021:</p> <p><a href="https://www.towerhamlets.gov.uk/lgn/business/health_and_safety/fire_safety/Building-safety-pledge.aspx">https://www.towerhamlets.gov.uk/lgn/business/health_and_safety/fire_safety/Building-safety-pledge.aspx</a></p>	<b>Further publicise the council’s building safety</b>

Comms	the council is doing	<p>The pledge sets out what the council is able to do using its powers and what it needs partners to do to ensure residents are safe. The council is also reviewing its existing web site pages and has had further engagement with residents on the review.</p>	<p><b>pledge to residents, building owners and PRPs</b></p> <p><b>Set up a fire safety portal that contains clear information for homeowners, tenants, leaseholders and clarifies the role of Housing Associations, builders, and developers.</b></p>
7. Comms	Signpost leaseholders to sources of help and how to tackle the Building Safety Fund steps.	<p>The council has no involvement in the BSF and is not in a position to advise residents on what is or isn't required for an application to the fund. However, the council has informed a number of applicants on whether a full permission is needed or a certificate of lawfulness.</p> <p>The council has dealt with such requests fairly quickly, recognising the importance of timely applications to the fund. Council officers have approached both the MHCLG and GLA on behalf of residents but have been advised that any communication with leaseholders on BSF applications should be with the applicant to the fund, usually the building owner or the managing agent.</p>	<p><b>Ensure the council's revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.</b></p>
Page 69 Funding	Spend some S106/CIL on things that might help – e.g., taller ladder?	<p>For Planning Obligations (<b>S106</b>), money is secured in legal agreements with the developer on each development. These legal agreements are very prescriptive regarding how the Council may spend this funding, e.g., “for the delivery of primary school provision” or “for the delivery of improvements to parks and open spaces”. As a result, there are not S106 funds held by the Council, that could legally be used to fund the fire safety work in question, unless we agree a new s106 with developers of affected buildings in order to have more flexibility over how to spend s106 money.</p> <p>CIL is governed by regulations that say it must be spent to support infrastructure. The regulations define infrastructure with examples such as schools, roads, etc. The essence of this is that it must be public infrastructure that is accessible to and supports the strategic development of the area. Spend on staffing is permissible where those staff are delivering infrastructure.</p> <p>Council Officers are currently looking into whether it is permissible to spend CIL money on such an appliance, but the view is that we could use <b>CIL</b> for this request. There are other considerations that make it more complicated, for example, would it just be for use in LB Tower Hamlets or for East London Boroughs, presently we do not know how much these ladders cost and for the appliance itself does the LFB have local storage to accommodate it, and will additional training be required for their firefighters etc. This is a conversation we will have with LFB.</p> <p>In addition to this there is currently a piece of work being undertaken with the LFB on resident's engagement about fire safety, these events will be for all residents in the Borough especially those who are hard to reach.</p>	<p><b>Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment.</b></p>

		<p>In September 2021, the LFB will be reaching out to London Boroughs to consult with them on risks and local requirements, the council will fully participate in this consultation and will set out what it considers to be the needs of the borough in relation to fire-fighting, based on conversations with relevant experts, including whether such a vehicle would be a useful asset for them to have.</p> <p>Unfortunately, CIL cannot be used for other areas, such as to employ staff for the fire safety work or to provide guidance or advice, as this would not meet the CIL Regulations.</p>	
9. Lobbying	Work with other London boroughs and the GLA to have more clout – why can we hear Manchester louder than our own councils?	The council is an active participant at the London Housing Directors Fire Safety Sub-Group and will continue to work with other London boroughs, the GLA and LFB on building and fire safety.	<b>No further action to be taken-Report outcome/ongoing work to H&amp;RSSC</b>
10. Lobbying Page 70	Fund advice service (East End CAB or similar) where leaseholders who are affected, can get knowledgeable help, particularly when facing bankruptcy.	The council will support leaseholders and other residents in lobbying government for more funding for CAB and other advisory services. We currently sign post residents to LEASE the Government funded Leasehold Advisory Service. The council is not providing funding to East End CAB or similar advice service directly.	<b>Continue to lobby the Government with our PRP partners for increased funding for independent advisory services at every opportunity.</b>
11. Lobbying	Gather the economic evidence of this crisis - to help push the govt into action. We need you to be our champions.	Officers will raise this matter with London Councils at a meeting of the London Housing Directors Fire Safety Sub-Group. The aim will be to agree a joint project to collect evidence on the economic impact (financial cost) upon residents of building safety issues.	<b>Raise gathering of economic data/cost implications of building safety issues at the LHD FSG meeting to enlist the support and collaboration of other council's and PRPs.</b>
12. Ways of Working	The council to lead an independent investigation to review what happened on the 7th May 2021 – fire at NPW and what can be learnt so that the community can move forward.	The London Fire Brigade is working on a fire safety report following the fire at NPW And the council will participate fully in providing any evidence if requested to do so. In view of this there is limited value in the council undertaking/leading its own review as this would be unnecessary duplication of work.	<b>Review the findings of the final LFB report into the fire at NPW with our PRP partners, building owners and developers</b>
13. Ways of	Gather the evidence of the serious issues of building safety - LBTH should be the	In collaboration with the MHCLG, the council is collating evidence of the position on all residential blocks over 18M in respect of external wall systems (EWS) and identifying other factors affecting building safety. The council is implementing a dedicated database that will record information on building and fire safety on tall residential buildings	<b>Work with our PRP partners and building owners and developers to</b>

Working	lead council in UK contributing thinking to building tall residential buildings more safely (update Local Govt Group guidance from 2011)	<p>across the borough and will enable it to contribute to wider thinking on such issues.</p> <p>The MHCLG EWS data collection exercise will inform a national database that the Government is compiling, however, the council will investigate making use of the citizen led <a href="#">Building Safety Map</a> and whether it can use the data it holds in its database to inform the map to inform residents about the blocks containing ACM cladding.</p>	<p><b>implement the Building Safety database.</b></p> <p><b>Explore the feasibility of contributing to the Building Safety Map with our PRP partners and building owners.</b></p>
<p>14.</p> <p>Ways of working</p> <p style="text-align: center;">Page 71</p>	Create a multi-agency task force – include fire brigade, managing agents, leaseholder reps	<p>The council alongside its THHF partners is working with LFB on how best to engage with residents on fire safety issues. It is recognised that a collaborative approach will result in better fire safety outcomes for residents, particularly to ensure that fire safety messages are “heard and seen” by all residents. The council recognises the need to make sure that it identifies hard to reach communities – Bangladeshi, Somali, Chinese and eastern European etc. There is a transient population in the borough with a number of residents living in HMO’s. Some residents do not know how to contact the emergency services by dialling 999.</p> <p>The LFB has an engagement plan in place and is reviewing this in light of the fire at NPW. Initial engagement with residents has been undertaken to shape a local Community Safety Plan—but vulnerable residents in the borough are seldom heard, particularly from BME communities. In September 2020, the LFB consulted on a London-wide Safety Plan.</p> <p>Findings included that communities were unaware of what the LFB do outside of an emergency response. It was recognised that there was potential for outreach work in the communities – possibly creating a forum led by LFB with membership from various communities and including home fire safety visits to empower communities to help themselves.</p> <p>Currently, the council and THHF partners are working with LFB on producing a fire safety video and creating a Tower Hamlets Fire Safety Forum. This forum may include managing agents and leaseholder representatives as part of the engagement process.</p> <p>The recently held “Ask the Mayor” event on the 22nd July focussed on leaseholder building and fire safety concerns.</p>	<p><b>Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.</b></p> <p><b>Establish a Tower Hamlets Fire Safety Forum with LFB and THHF PRP partners.</b></p> <p><b>Work with PRP partners and LFB to develop a fire safety video and other engagement/communication material to promote fire safety.</b></p>
<p>15.</p> <p>Ways of Working</p>	Evacuation procedures must be reviewed, and this review must involve residents, because they will tell you how residents behave in an evacuation.	Controlled evacuation of a building is a matter for the LFB. Involving residents in any review of the stay put/evacuation process is important and the council will work with the LFB to ensure this is considered by the Tower Hamlets Fire Safety Forum.	<b>Establish a Tower Hamlets Fire Safety Forum with LFB and THHF PRP partners to examine evacuation procedures.</b>
<p>16.</p> <p>Ways of</p>	All residential buildings which have a Simultaneous Evacuation Policy must have	The LFB are carrying out a Building Risk Review on all high-risk buildings to be completed by end of December 2022. The aim is to ensure that appropriate fire protection measures for each block are in place. There are over 800,000 private sector residential buildings in London. The LFB are checking to see that simultaneous evacuation strategies are in place	<b>Establish a Tower Hamlets Fire Safety Forum with LFB and THHF partners to</b>

<p>Working</p>	<p>fire alarms put in as a matter of urgency and waking watches must not be used to give a false sense of security. Fire alarm systems to be installed in all buildings. Waking watch initiative does not work in tall buildings and is not understood by all residents.</p>	<p>with the LFB inspecting properties every six months.  The council will explore this issue with its THHF partners and the LFB as part of Tower Hamlets Fire Safety Forum.</p>	<p>examine the appropriateness of fire alarms.</p>
<p>17. Ways of Working  Page 72</p>	<p>All residential buildings should have fire safety instructions in all common areas Simple procedures must be put in all buildings in a form that all residents can understand, including those for whom English is not their first language.</p>	<p>The LFB have written to (private sector) building owners who have implemented a Waking Watch system reminding them about responsibilities in respect of cladding remediation and providing information on external wall systems. This notification included a reminder on the need to check the internal fire safety of buildings. Checks on the procedures in place and signage should form part of the existing fire risk assessment process undertaken by building owners. The LFB ‘operate a risk-based inspection programme based on protecting the most vulnerable and those that are more likely to have a fire’. Source <a href="https://www.london-fire.gov.uk/enforce-fire-safety-legislation/">Enforce fire safety legislation   London Fire Brigade (london-fire.gov.uk)</a></p> <p>Under the current Regulatory Reform (Fire Safety) Order (2005), as part of the FRA, building owners in purpose-built flats are required to determine the fire protection measures in the building. This includes and is not limited to emergency escape lighting and fire escape route signs (which are not normally necessary in simple blocks of flats)</p> <p><a href="https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94444/fire-safety-in-purpose-built-blocks-of-flats.pdf">Fire safety in purpose-built blocks of flats (publishing.service.gov.uk)</a> Updated July 2021 - Page 46 ,Paragraph 34.3:</p> <p>The fire risk assessment must consider the ‘general fire precautions’ defined in the FSO. Of these, the principal ones for a purpose-built block of flats are:</p> <ul style="list-style-type: none"> <li>• measures to reduce the risk of fire and the risk of the spread of fire</li> <li>• means of escape from fire</li> <li>• measures to ensure that escape routes can be safely and effectively used</li> <li>• an emergency plan, (stay put or SME) including procedures for residents in the event of fire</li> <li>• measures to mitigate the effects of fire</li> </ul> <p>When the Fire Safety Act (2021) comes into force it will amend the Regulatory Reform (Fire Safety) Order 2005 (with the intention of improving fire safety in multi-occupancy domestic premises). Crucially, the external walls of a building and the fire doors to individual flats will be assessed as part of the requirement for a fire risk assessment. Current FRA’s under the Regulatory Reform (Fire Safety) Order 2005 do not require this.</p>	<p>Establish a <i>Tower Hamlets Fire Safety Forum</i> with LFB and THHF partners to promote that appropriate signage is in place.</p> <p>Establish a <i>Resident and Landlord Fire Safety Forum</i> to ensure effective resident involvement and collaboration in all relevant fire safety issues.</p>

## DRAFT - Fire Safety Proposals

Area	Proposal
1. Powers	1. Ensure Fire Statements submitted to the council by developers/builders as part of the Planning process are robust and address all known fire safety issues.
	2. Investigate the promotion of “Commonhold” with our PRP partners, builders, and developers.
2. Communications	3 Explore regular Quarterly meetings between the Mayor/officers and Leaseholders.
	4. Further publicise the council’s building safety pledge to residents, building owners and PRPs
	5. Set up a fire safety portal that contains clear information for homeowners, tenants, leaseholders and clarifies the role of Housing Associations, builders, and developers.
	6. Ensure the council’s revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.
3. Funding	7. Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment.
4. Lobbying	8. Continue to lobby the Government with our PRP partners for increased funding for independent advisory services at every opportunity.
	9. Raise gathering of economic data/cost implications of building safety issues at the LHD FSG meeting to enlist the support and collaboration of other councils and PRPs.
5. Ways of Working	10. Review the findings of the final LFB report into the fire at NPW with our PRP partners, building owners and developers.
	11. Work with our PRP partners and building owners and developers to implement the Building Safety database.
	12. Explore the feasibility of contributing to the Building Safety Map with our PRP partners and building owners.
	13. Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.
	14. Work with PRP partners and LFB to develop a fire safety video and other engagement/communication material to promote fire safety.
	15. Establish a <i>Tower Hamlets Fire Safety Forum</i> with LFB and THHF partners to examine evacuation procedures and to promote appropriate fire alarms and signage.
	16. Establish a <i>Resident and Landlord Fire Safety Forum</i> to ensure effective resident involvement and collaboration in all relevant fire safety issues.

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Page 1	Page 2	Page 3
<p><b>Main webpage:</b></p> <p><b>Fire Safety</b></p> <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Our commitment (incl. pledge, lobbying and campaigning)</li> <li>• Improving standards across the borough</li> <li>• Tower Hamlets Homes Approach to Fire Safety</li> <li>• <a href="https://www.towerhamletshomes.org.uk/uploads/assets/THH Approach to Fire Safety Feb 2019.pdf">https://www.towerhamletshomes.org.uk/uploads/assets/THH Approach to Fire Safety Feb 2019.pdf</a></li> </ul> <p>What are the government’s proposals for building and fire Safety ?</p> <p>Improving fire safety standards</p> <p>Fire kills – lets prevent it, Government <a href="#">website</a></p> <p><b>Advice and guidance</b> (Same page, but opening half a new page i.e. <a href="#">B&amp;D</a> example, with hyperlinks)</p> <ul style="list-style-type: none"> <li>• London Fire <a href="#">Brigade</a> Home Fire Safety: Keep your loved ones safe from fire <ul style="list-style-type: none"> <li>○ Fire safety easy <a href="#">read</a></li> <li>○ Home fire safety <a href="#">essentials</a></li> <li>○ Fire safety in the home <a href="#">booklet</a></li> <li>○ Home safety <a href="#">guidance</a> for purpose-built flats and maisonettes</li> <li>○ Fire safety <a href="#">law</a></li> </ul> </li> </ul>	<p><b>Fire safety, prevention, and protection – a summary of your responsibilities</b></p> <ul style="list-style-type: none"> <li>• Top tips to protect your home from fire</li> <li>• Book your free home fire safety <a href="#">visit</a></li> <li>• Know the fire <a href="#">plan</a></li> <li>• Keep the Communal area clear</li> <li>• Electrics and Domestic Appliances</li> <li>• Cooking</li> <li>• Stay safe when you go to bed</li> <li>• What to do if a fire starts</li> <li>• If there is a fire in your building and you are not at risk / Fire in your flat? <a href="#">Get out</a> (LFB video)</li> <li>• Fire in your building, not in your flat? <a href="#">Stay put</a> (LFB video)</li> <li>• Fire safety education at <a href="#">home</a> (with children)</li> </ul>	<p><b>Keeping Council homes safe</b></p> <ul style="list-style-type: none"> <li>• Introduction - if you are council tenant or council leaseholder this is what you need to know (including statutory duties on council and THH (ALMO), Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act (2021)</li> <li>• Fire risk assessments</li> <li>• Evacuation procedure</li> <li>• Link to THH website <ul style="list-style-type: none"> <li>○ Building and the fire safety strategy, policies, and procedures (including electric and gas)</li> <li>○ Preventing fire in your home – general advice</li> <li>○ What to do if there is a fire</li> <li>○ THH approach to fire safety</li> <li>○ Email: <a href="mailto:contact@thh.org.uk">contact@thh.org.uk</a></li> <li>○ Phone: 020 7364 5015</li> </ul> </li> </ul>

<p><b>Supporting webpages:</b></p> <ul style="list-style-type: none"> <li>• Page 2: Fire safety prevention and protection - a summary of your responsibilities</li> <li>• Page 3: Keeping council homes safe</li> <li>• Page 4: Keeping private and housing association homes safe</li> <li>• Page 5: Fire Safety for leaseholders</li> </ul>		
<p><b>Page 4</b></p>	<p><b>Page 5</b></p>	<p><b>Page 5 (continued)</b></p>
<p><b>Keeping private and housing association homes safe (or consider splitting the two)</b></p> <p><b>Page 76</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Responsibilities</a> of landlords and managing agents (LFB)</li> <li>• <a href="#">Tenants'</a> rights and fire safety (LFB)</li> <li>• Fire safety for private sector <a href="#">landlords</a> (LFB)</li> <li>• Fire safety in shared or rented <a href="#">accommodation</a></li> <li>• Tower Hamlets Private renters <a href="#">charter</a> - standards the law demands from all private landlords and agents</li> <li>• Fire Safety in <a href="#">HMO's</a> (TH website)</li> <li>• If you have concerns about your safety or any fire risks in your home or building, the Council's Environmental Health team can investigate and act where appropriate. Tel: 020 7364 5008. email: <a href="mailto:environmental.protection@towerhamlets.gov.uk">environmental.protection@towerhamlets.gov.uk</a></li> </ul>	<p><b>Fire Safety for leaseholders</b>          Advice and support for leaseholders          FAQ's for Leaseholders</p> <ul style="list-style-type: none"> <li>• Who is responsible for carrying out Fire Risk Assessments?</li> <li>• Who can carry out a Fire Risk Assessment?</li> <li>• How often are Fire Risk Assessments done</li> <li>• What is an External Wall system?</li> <li>• Who carries out the EW1S, what is their expertise and how many experts are there?</li> <li>• Does each flat/apartment have to get an individual EWS1 form for selling, buying or remortgaging?</li> <li>• Our building was given an EWS1 certificate with a B1 or A1 rating, but this has been downgraded- what can we do?</li> <li>• Our building has been told we have to have a Waking Watch. What should we do?</li> </ul>	<ul style="list-style-type: none"> <li>• Our Building Insurance is going up, what can we do?</li> <li>• Our freeholder/managing agent won't let us have a copy of the fire risk assessment and/or the intrusive survey report. Can we ask the developer of our building to fix the issues with the building, or claim on the warranty?</li> <li>• Our building does not qualify for the Building Safety Fund, what can we do?</li> <li>• What is the Building Safety Fund?</li> </ul>

## Page 1: Main Webpage

### Fire Safety at home

- In the event of a fire, **you should telephone 999 and ask for the fire service**. Calls are free.
- The advice as to whether you evacuate will depend on your building. The advice for council tenants or for those who have own a council leasehold block of flats is currently to stay put in the event of a fire, however, some buildings which do not belong to the council may have different advice. Please make sure that you know what the advice is.
- Fire safety is a shared responsibility between you and your landlord.

### Our commitment

- Fire safety has always been a high priority for the council. To see the council's pledge on Fire Safety click here: **INSERT HYPERLINK**
- Following the tragedy at Grenfell Tower, we have been reviewing our fire safety systems and procedures. All council housing blocks have an up-to-date fire risk assessment (FRA) in place. Further information of FRAs is available in. [Fire Risk Assessments \(FRAs\) - Tower Hamlets Homes](#)
- Our supply of council homes is managed on behalf of the council by Tower Hamlets Homes. You can read about Tower Hamlets Homes approach to Fire Safety here: [https://www.towerhamletshomes.org.uk/uploads/assets/THH Approach to Fire Safety Feb 2019.pdf](https://www.towerhamletshomes.org.uk/uploads/assets/THH_Approach_to_Fire_Safety_Feb_2019.pdf)

### Improving fire safety standards across the borough

- We are working with our housing partners and developers to ensure fire safety across the residential sector. This includes working with the Ministry of Housing Communities and Local Government to contact owners of buildings over 18 metres in height to find out what their buildings are cladded in and encourage speedy remediation works where the cladding is of fire safety concern. We have encouraged building owners to apply to access the £1billion non-Aluminium Composite Material (ACM) fund.
- In December 2020, the government announced the Waking Watch Relief Fund to pay for the installation of common fire alarm systems in high-rise buildings with unsafe cladding, removing, or reducing the need for waking watch. The initial tranche of the Waking Watch Relief Fund was administered by the GLA in London. The fund re-opened again on 26th May 2021 for four more weeks and the MHCLG are now administering this across England.
- We are working hard to deliver fire safety improvements to our own housing stock investing circa £'s xxxxxx on works. We are also working with regional partners to lobby government for sufficient resources to support fire safety improvements across all dwellings and preparing for the Building Safety Bill which was introduced in the House of Commons on 5<sup>th</sup> July 2021. <https://www.gov.uk/government/collections/building-safety-bill>
- Private landlords are responsible for ensuring their properties are safe and free from health hazards. The [Residential Landlords Association \(RLA\)](#) and [National Landlords Association \(NLA\)](#) offer information on ensuring you are renting a safe and secure home.

## **What are the Government's proposals for Fire and Building Safety?**

The Fire Safety Act (2021) received Royal Assent on 29 April 2021, though it is still to come into force. You can read about the [Fire Safety Act on the government website](#). The [Building Safety Bill](#), in its current form, was introduced to the House of Commons on 5 July 2021.

Both the Fire Safety Act and the Building Safety Bill intend to make sure that residents of high-rise buildings feel safer in their homes by significantly reducing fire risks. They are a response to the Grenfell Tower tragedy – to stop such an event from ever happening again and minimising fire risks to make sure that high-rise buildings are managed properly.

### **General advice and guidance**

Most fires in the home can be prevented by taking a few simple precautions, such as ensuring cigarettes are properly stubbed out, never leaving candles unattended, and having at least one working smoke alarm installed in your home.

### **Safety tips and advice**

#### **Government**

Fire kills – lets prevent it. Safety tips and advice from Government on how to keep your home safe is available [here](#). This includes potential hazards like cooking, smoking, candles, celebrations, and electrical safety.

#### **London Fire Brigade**

The London Fire Brigade provides simple, practical information and advice that can help minimise the risk of a fire occurring, including creating and practising an escape plan and requirements by law.

- London Fire [Brigade](#) Home Fire Safety: Keep your loved ones safe from fire
- Fire safety easy [read](#)
- Home fire safety [essentials](#)
- Fire safety in the home [booklet](#)
- Home safety [guidance](#) for purpose-built flats and maisonettes
- Fire safety [law](#) - responsibilities and ensuring compliance with the "the Fire Safety Order"

#### **Supporting webpages:**

- Page 2: Fire safety prevention and protection - a summary of your responsibilities
- Page 3: Keeping council homes safe
- Page 4: Keeping private and housing association homes safe
- Page 5: Fire safety FAQ's

## Page 2: Fire safety prevention and protection - a summary of your responsibilities

### 1. Fire prevention

The London Fire Brigade is the busiest fire rescue service in the country. To see how many fire related incidents they have dealt with in the last and previous years in Tower Hamlets click here:

<https://data.london.gov.uk/dataset/london-fire-brigade-incident-records>

You can help us to reduce the risk of fires by taking some simple measures:

- Keep rubbish away from public areas by placing rubbish out on the morning of collection.
- Store rubbish in a secure area until collection time. This will make it difficult for intruders to set light to it
- Do not leave rubbish, bikes, buggies, wheelchairs, or prams in communal areas or obstruct escape routes.
- Keep balconies free from clutter.
- If you have a skip fill it up as soon as possible and have it collected promptly
- Report any abandoned cars to the council.
- Don't leave candles unattended
- Shut doors - a door can give you 20 minutes protection in a fire.
- Make sure that you close internal doors at night to prevent fire from spreading
- Ensure cigarettes are stubbed out and disposed of carefully
- Never smoke in bed
- Keep matches and lighters away from children
- Keep clothing away from heating appliances
- Fit a smoke alarm - they save lives. Test your alarm weekly and please do not remove the battery
- Make sure you know where your nearest fire **exit is**.

### 2. Top tips to protect your home from fire

#### Install a smoke alarm

A smoke alarm is the easiest way to alert you of a fire, giving you time to escape.

- **Have at least one working smoke alarm in your home, ideally situated on the ceiling in the hallway but not in a kitchen or a bathroom. If your home has more than one floor, put a smoke alarm on each landing.**
- **Test your alarm every week to check that it works**

You can buy battery operated smoke alarms from supermarkets and DIY stores, and the London Fire Brigade carry out free home safety fire visits and fit smoke alarms for free if you need them.

<https://www.london-fire.gov.uk/safety/the-home/book-a-home-fire-safety-visit/>

If you have difficulty hearing, you can buy a smoke alarm that has a vibrating pad or a flashing light.

To find out more, visit: <https://rnid.org.uk/information-and-support/technology-and-products/smoke-alarm-systems/>

### 3. Know your fire plan

Think about how you could escape quickly and safely from your home if there was a fire.

If a fire starts in your flat, you need to get everyone safely out. The London Fire Brigade have a video to help you plan your best escape route: [https://www.youtube.com/watch?v=bTBwVw\\_IeJY](https://www.youtube.com/watch?v=bTBwVw_IeJY)

**The procedure to escape safely from a fire in your home depends on what kind of building you live in, so it's vital you know where the doors out of your building are and about the fire evacuation plan for your building.**

**If you are a council tenant or leaseholder, contact your housing officer for more information about this.**

**If you are a private tenant in Tower Hamlets , contact your landlord for this information.**

**If you are a leaseholder in a privately owned building, contact the owner ( the freeholder), your residents' management company or a managing agent.**

**In the event of a fire in your home, an escape plan can mean the difference between life and death:**

- talk through your escape plan with everyone who lives in your home, especially children and teenagers, older people and lodgers
- choose the best escape route, which is normally your usual way in and out of your home
- also choose a second escape route in case the first one is blocked. Always aim to keep them both clear
- tell everyone where the keys to doors and windows are kept
- go through what to do in a fire
- if there's a fire it is vital that you act quickly and calmly once you become aware of a fire
- alert everyone – shout and get everyone together
- don't delay – you can't afford to waste any time
- get everyone out, using your escape route
- once you've escaped, call 999 (999 calls are free)
- don't go back in for anything - if there is still someone inside wait for the fire brigade to arrive
- find somewhere safe to wait. When the fire brigade arrives, give as much information as possible about the fire and the building, and if anyone is still inside

#### **4. Keep communal areas clear**

It is important to keep communal areas like corridors, walkways and exit doors clear, so that if there is a fire, residents can evacuate the building quickly and safely and the fire brigade will be able to reach your property without obstacles in the way.

#### **5. Electrics and domestic appliances**

Do not leave electrical appliances on standby. Always switch them off and unplug them when not in use.

Don't overload electrical sockets. Only use one plug per socket. To see if you're overloading your sockets check: <https://www.twothirtyvolts.org.uk/socket-overload/?hdpi=1>

Faulty electrical goods can cause fires. Take care with second-hand appliances and ensure they have been safely checked. A list of recalled products is available at: <https://productrecall.campaign.gov.uk/#G5KBACmIjFlc58dG.97>

You can register all of your domestic appliances to ensure that the manufacturers know who to contact if a safety repair is needed. The website provides quick access to the registration pages of over 60 leading brands of domestic appliances. [www.registermyappliance.org.uk](http://www.registermyappliance.org.uk)

Always use the charger that came with your phone, tablet, e-cigarette or mobile 5 device or a genuine replacement. Counterfeit electrical chargers can be deadly and many fail to meet UK safety regulations leading to fires and injury. [www.london-fire.gov.uk/overloading-electrical-sockets.asp](http://www.london-fire.gov.uk/overloading-electrical-sockets.asp)

## 6. Cooking

- Never leave pans unattended when cooking.
- Ensure you always check that you have switched the cooker off after cooking. Take extra care when cooking with hot oil. Consider buying a deep-fat fryer which is controlled by a thermostat.
- Don't cook if you are tired, have been drinking alcohol or taking medication that might make you drowsy.
- Keep the oven, hob, cooker hood and grill clean, and in good working order.
- Never put anything metal in the microwave.
- Never use a barbeque (BBQ) including disposable, indoors or on a balcony. If a cooking pan catches fire do not try to move the pan. Do not throw water onto the fire as it can create a fireball. If you can do so safely turn off the heat.
- Leave the room and close the door. Shout to warn others to get out, stay out and call 999.

## 7. Stay safe when you go to bed

- Close all doors as this helps to prevent fire spreading.
- Switch off and unplug electrical items such as TVs and avoid charging devices like mobile phones when you are asleep.
- Only leave essential appliances switched on such as fridge or freezer. Turn all others off.
- Make sure candles are out before you go to bed.
- Check that your cooker and heaters are turned off.
- Turn off and unplug electric blankets before going to sleep.
- Make sure cigarettes are stubbed out properly and are disposed of carefully. Never smoke in bed.
- Do not leave electrical appliances on standby. Always switch them off and unplug them when not in use.

## 8. What to do if a fire starts in your home

**Never try and tackle a fire yourself – you could put your own life and others in danger.**

### **If the fire is in your flat**

If a fire starts in your flat, you need to get everyone safely out. This London Fire Brigade video gives you advice on planning your best escape route. [https://youtu.be/bTBwVw\\_IeY](https://youtu.be/bTBwVw_IeY)

- Call 999.
- Some homes offer multiple escape routes. Where the front door is usually the main or preferred route of escape, your secondary escape route may be the balcony at the back of your home.
- If possible, close the door of the room where the fire is and all doors behind you as you leave. This will help delay the spread of fire and smoke.
- Don't try to pick up any personal belongings.

- Fire produces smoke and poisonous gases that can cause light-headedness or loss of consciousness if you breathe it in which can cause issues if you're trying to get out of a burning building. To escape a fire and its fumes, crawl to the closest exit, remembering that it may be a window. Staying low to the ground will help protect you from inhaling smoke and toxic gases
- If you must go through a door to get to an exit, check if the door is hot. If the door (or doorknob) is warm to the touch, there could be fire raging on the other side, so do not go through it. If you open a door and see fire or smoke, shut the door and go to a second exit.
- Use the emergency exit and do not use a lift. Only use a balcony if it is part of an official escape route.
- If you live in a purpose-built flat or maisonette, London Fire Brigade has different advice that you should follow <https://www.london-fire.gov.uk/about-us/our-campaigns/know-the-plan/>

### **If the fire is not in your flat**

If the fire is not in your flat, **make sure you know your fire plan.**

Often the best option is to stay indoors and call the London Fire Brigade.

If you live in a house or a flat that is part of a converted house, and there is a fire in your property, get out, stay out, and call 999.

### **9. If you are cut off by fire**

- Try to remain calm and alert people in the home.
- Close the door and use towels or similar to block any gaps to help stop smoke spreading into the room. If you can wet the fabric down, do so. Cover vents with wet blankets as well, to keep smoke from seeping into the room
- Call 999 if you have access to a phone and give as much detail as possible about the fire, including the property number and floor of the property.
- If you get stuck on an upper floor of a building, hang sheets or anything large enough to capture people's attention out the window to let firefighters know where you are. Do not attempt to make your way through the fire.
- Try to make your way to a window.
- If the room becomes smoky, crawl along the floor as the smoke rises.
- Open the window. This will allow smoke to escape and provide you with fresh air.

### **10. Fire safety education at [home](#) (with children)**

The London Fire Brigade has some useful resources for children. [Learning at home | London Fire Brigade \(london-fire.gov.uk\)](#).

### **Page 3: Keeping Council homes safe**

#### **Introduction**

The principal piece of legislation in England and Wales that covers safety in social housing is the **Housing Act (2004)**, which identifies 29 categories of potential hazards, one of which is fire. Additionally, the **Regulatory Reform (Fire Safety) Order 2005** (commonly known as the FSO) applies to the common parts of multi-occupied residential housing and requires landlords or housing owners to carry out a Fire Risk Assessment and implement appropriate precautions.

The recent Fire Safety Act which received Royal Assent on 29<sup>th</sup> April 2021, it has yet to come into force (i.e. have legal effect), the Fire Safety Act 2021 will amend the Regulatory Reform (Fire Safety) Order 2005 by clarifying the applicability of this Order to specific parts of residential buildings, most notably to external walls and anything attached thereon, with far reaching consequences for responsible persons (i.e. the duty holder) who must ensure compliance with the law.

In summary, the Fire Safety Act (2021) will:

- Apply to all multi-occupied residential buildings (i.e. where there are “2 or more sets of domestic premises”)
- Amends the Fire Safety Order( 2005) to require all responsible persons to assess, manage and reduce the fire risks posed by the structure, external walls (including cladding, balconies and windows), and any common parts of buildings. The latter includes all doors between domestic premises
- Allows the Fire Service to take enforcement action against responsible persons who fail to comply with the requirements of this Act
- Enables the government to issue risk based guidance which can be referred to as proof that a responsible person has either complied or failed to comply with the requirements of the Act

#### **Tower Hamlets Homes**

The Council has delegated its housing services to Tower Hamlets Homes (THH), a wholly owned Arm’s Length Management Organisation (ALMO). The current management agreement runs till 2028, with a break clause in 2024. You can read about Tower Hamlets Homes approach to Fire Safety here: <https://www.towerhamletshomes.org.uk/uploads/assets/THH Approach to Fire Safety Feb 2019.pdf>

#### **Fire Risk Assessments**

Carrying out a fire risk assessment on a block is a legal requirement and an essential component of good fire safety management. It is the process of identifying potential fire hazards, how they should be managed, and whether additional measures need to be taken to eliminate or reduce risk. Fire risk assessments are carried out every year on high-rise tower blocks, above five-storeys, while low-rise blocks are reviewed every three years.

We want to give our residents as much reassurance as possible about the fire safety of their council home. Tower Hamlets Homes carries out fire risk assessments for all residential blocks it manages and assessments for each block have been published on its [website](#) to demonstrate the steps being taken are taking to keep people safe.

#### **Smoke Alarm**

- If you are a **council leaseholder**, fit smoke alarms on each floor and test them once a week. The Fire Brigade provides FREE home fire safety checks and will give you a free smoke alarm. You can book an appointment [online](#) or phone them on 0800 028 44 28.
- If you are a **council tenant**, there should already be a smoke alarm in your flat. If not, please contact the THH Housing Service Centre on 020 7364 5015.
- Fire safety information and advice for tenants and leaseholders of THH managed properties is available: [Fire safety - Tower Hamlets Homes](#)
  - Email: [contact@thh.org.uk](mailto:contact@thh.org.uk)
  - Phone: 020 7364 5015

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## **Page 4: Keeping private and housing association homes safe (or consider splitting the two)**

### **Responsibilities of landlords and managing agents**

If you live in a privately rented or housing association property, your landlord or housing provider is responsible for fire safety in your building.

This includes things like providing smoke alarms and carbon monoxide detectors, providing fire doors, and ensuring communal areas are kept free of belongings.

The London Fire Brigade provides a full guide to:

- The [Responsibilities](#) of landlords and managing agents
- [Tenants'](#) rights and fire safety
- Fire safety in shared or rented [accommodation](#)
- The London Fire Brigade can take action if there are fire safety concerns about communal areas such as shared corridors and stairwells

### **Private renting in Tower Hamlets and fire safety**

Residents in private blocks of flats should adhere to the London Fire Brigade's [information for people who live in purpose-built flats and maisonettes](#) and can book a [free home fire safety visit](#).

The Tower Hamlets Private renters [charter](#) sets out the standards the law demands from all private landlords and agents.

[Alarms](#) - Your home must have a working smoke alarm on every floor of your home. If you have solid fuel heating, your landlord must also fit a carbon monoxide detector.

You are responsible for checking the alarm works after you move in. If an alarm stops working, check if it needs new batteries or contact the landlord to arrange a replacement alarm.

### **Fire Safety in HMO's**

A House in Multiple Occupation (HMO) is a property that is shared by three or more tenants who are not members of the same family. HMO landlords must have a licence from the Local Council Housing Department. This ensures that the property is managed properly and meets certain safety standards including under the Regulatory Reform (Fire Safety) Order 2005 (FSO) RR(FS)O and Housing Act 2004.

If you have concerns about fire risks in your home or building, the Council's Environmental Health team can investigate and act where appropriate. Tel: 020 7364 5008. email: [environmental.protection@towerhamlets.gov.uk](mailto:environmental.protection@towerhamlets.gov.uk)

## Page 5: Fire Safety for Leaseholders

### **Advice and support for leaseholders:**

There are a range of places that leaseholders can turn to for advice and support:

1. The managing agent, management company or landlord of your building will be able to provide information on fire safety of the building and provide a copy of your lease if this is not in your possession. Details of the managing agent will be found on your most recent service charge demand. You should also speak to them as early as possible if you will have difficulty in meeting service charge demands and wish to seek time to pay.
2. Other leaseholders or residents' groups in your building/development may be able to provide information on the specifics of the situation and might be helpful in coordinating a response or pressing for action from your building owner.
3. Government information [Building Safety Programme: other fire safety concerns - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/building-safety-programme)
4. Leaseholders can access free initial specialist advice to understand their rights through the Leasehold Advisory Service (LEASE). Read more [information on LEASE](https://www.lease-advice.org/fire-safety/), including how to contact them for advice. <https://www.lease-advice.org/fire-safety/>
5. [Leasehold Knowledge Partnership](https://www.leaseholdknowledgepartnership.org/) (LKP) – an independent registered charity providing help for leaseholders on leasehold issues, including cladding. LKP also acts as secretariat to the All-Party Parliamentary Group on Leasehold and Commonhold Reform. You can sign up for a e-newsletter which will keep you informed of developments in relation to cladding and leasehold. They also offer an advice service [Advice - Leasehold Knowledge Partnership](https://www.leaseholdknowledgepartnership.org/)
6. UK Cladding Action Group (UKCAG) – Facebook Group which provides opportunities for leaseholders to support each other. You can also sign up for a e-newsletter for information about campaigning <https://endourcladdingscandal.org/get-involved/meet-campaign-partners/uk-cladding-action-group/>.
7. London Cladding Action Group – local branch of UKCAG [London Cladding Action Group - End Our Cladding Scandal](https://endourcladdingscandal.org/london-cladding-action-group/)
8. National Leasehold Campaign - provides for leaseholders to support each other with a range of issues relating to leasehold [WHERE LEASEHOLDER'S HAVE A VOICE \(nationalleaseholdcampaign.org\)](https://www.nationalleaseholdcampaign.org/)
9. LBTH – Mayor or Councillors can help you approach your freeholder or managing agent if you do not feel that you are being kept informed of progress.
10. Citizen's Advice – for advice in relation to managing financial challenges of paying for high service charge demands. [Citizens Advice](https://www.citizensadvice.org.uk/) There is also a list of other places to seek financial advice and support listed here [Financial Advice & Support - End Our Cladding Scandal](https://www.citizensadvice.org.uk/financial-advice/financial-advice-support-end-our-cladding-scandal/)
11. Your Mortgage lender – speak to them early if you feel you may struggle to keep up to date with mortgage payments.
12. Tower Hamlets Justice for Leaseholders – Facebook group you can join to communicate with other affected leaseholders in Tower Hamlets. [\(4\) Tower Hamlets Justice for Leaseholders - THJL | Facebook](https://www.facebook.com/4TowerHamletsJusticeforLeaseholders-THJL/). Additionally, Directors of Right to Manage or leaseholders who own their own freehold (who are therefore responsible for the remediation and fire safety of their building) will be able to connect with other leaseholders in Tower Hamlets in a similar situation via this Facebook group.
13. Contact your MP [Find your MP - MPs and Lords - UK Parliament](https://www.parliament.uk/your-mp/)

## **FAQ's for leaseholders (non-council leaseholders)**

### **Who is responsible for carrying out Fire Safety Risk Assessments?**

Responsibility for carrying out a **fire risk assessment** in your building could be with the owner (**freeholder**), a residents' management company, a **Right to Manage company**, or a managing agent. In law, the responsibility for fire safety in the shared parts of a building is that of the '**responsible person**'. For blocks of flats or large houses in multiple occupation, this is usually the freeholder or management company.

The freeholder or management company may decide to give some of these responsibilities to a managing agent. This can include arranging for a fire risk assessment to be done or reviewed.

The responsible person (or agent) may carry out the fire risk assessment themselves or may employ someone else to do it.

### **Who can carry out a fire risk assessment?**

The law does not specify who is allowed to carry out a **fire risk assessment**. The law simply states that the person must be competent enough to complete a 'suitable and sufficient' assessment of that particular building.

### **How often must a fire risk assessment be done?**

There are no specific time periods in law for how often fire risk assessments must be carried out or reviewed. The law simply says that the person responsible for the assessment in your building must review it 'regularly' to make sure it's up to date.

The **responsible person** must review the **fire risk assessment** if:

- there's reason to think it's no longer valid (for example, if there has been a fire in the shared parts of the building)
- there have been significant changes since the assessment was done (for example, major building works or more people using the building)

The assessment itself might also include a recommendation of how often it should be reviewed or updated. Reviewing an existing fire risk assessment can take less time than carrying out a new assessment, so reviews can be done more frequently.

The Local Government Association (LGA) produced guidance on fire safety in purpose-built blocks of flats. This recommended that for low-rise blocks of up to three storeys above ground, built in the last 20 years, fire risk assessments should be:

- reviewed every 2 years
- redone every 4 years

For blocks with higher risks (for example, because of the age of the building), or those more than 3 storeys high, the LGA recommended that fire risk assessments should be:

- reviewed every year
- redone every 3 years

In extreme cases (for the highest-risk buildings), the LGA recommended doing a new fire risk assessment once a year

### **What is an External Wall System?**

The external wall system is made up of the outside wall of a residential building, including cladding, insulation, fire-break systems, etc. The external wall may be a cavity wall, rainscreen cladding system or an External Wall Insulation (EWI) system.

### **What is an EWS1 Certificate?**

An EWS1 certificate is an External Wall System Fire Review certificate. EWS1 certificates come into play when a leaseholder is buying or selling or re-mortgaging an apartment in a multi-storey multi-occupied residential building. The EWS1 is not a building safety certificate or a legal requirement, it is a mortgage valuation tool. EWS1 certificates are not issued by the Fire Brigade.

The Royal Institute of Chartered Surveyors (RICS) and mortgage lenders jointly created the EWS1 form. It was launched in December 2019 as a way for mortgage lenders to assess the external wall safety of buildings over 18 meters, to help them decide whether to offer a mortgage on any given apartment within multi-storey, multi-occupied residential buildings.

Over time EWS1 forms have begun to be used for buildings under 18 meters, reflecting the Government's Building Safety guidance published in January 2020 which applies to buildings of any height. To find the latest information on which buildings EWS1 forms apply to, and current exemptions for buildings under 18 meters, check out the RICS website [Cladding Q&A \(rics.org\)](https://www.rics.org/uk/advice-and-guidance/cladding-cladding-q-and-a/)

The certificate provides two main options. Option A is for buildings where the external wall system is unlikely to support combustion. Option B is for buildings with combustible materials present in the external wall system, which may or may not need to be remediated.

The outcome of the survey for each block will fall into one of the following five categories, or ratings:

#### **Option A**

**A1 rating** There are no attachments whose construction includes significant quantities of combustible materials (i.e. materials that are not of limited combustibility).

**A2** There is an appropriate risk assessment of the attachments confirming that no remedial works are required.

**A3** Where neither of the above two options apply, there may be potential costs of remedial works to attachments.

#### **Option B**

**B1** Surveyors conclude that in their view the fire risk (Note 8) is sufficiently low that no remedial works are required.

**B2** Surveyors conclude that an adequate standard of safety is not achieved, and they have identified to the client organisation the remedial and interim measures required (documented separately).

### **Who carries out the EWS1, what is their expertise and how many experts are there?**

The EWS form must be completed by a fully qualified member of a relevant professional body within the construction industry with sufficient expertise to identify the relevant materials within the external wall cladding and attachments, including whether fire resisting cavity barriers and fire stopping have been installed correctly.

The Council cannot approve individual persons who can deliver the EWS1 and cannot advise on who can and cannot complete the EWS1 form/ process. Only qualified chartered members of the relevant professional bodies such as IFE and RICS will have the necessary self-assessed competence AND professional indemnity insurance to carry out this work

As with “intrusive surveys” there are very few people in the UK who have the qualifications and experience to sign an EWS1 certificate, so there can be long delays in being able to appoint an appropriate person to do the survey and sign the certificate, given the very large number of buildings affected across the UK.

**Does each flat/apartment have to get an individual EWS1 form for selling, buying or remortgaging?**

EWS1 forms apply to the whole building and are arranged by the building owner. Individual leaseholders are not able to purchase or arrange EWS1 surveys. EWS1 certificates are valid for 5 years.

RICs website [Cladding Q&A \(rics.org\)](https://www.rics.org/insights/articles-and-research/cladding-q-a) provides further information for leaseholders who are concerned about:

- Certificates being re-issued with a changed rating
- NIL valuations
- Height of buildings and where an EWS1 is required
- Who is responsible for obtaining an EWS 1 certificate
- Who can sign an EWS1 certificate

This is what an EWS1 certificate looks like [ews1-form-5.3.21\\_final\\_clean2.pdf \(rics.org\)](#)

It may be possible to sell a leasehold apartment without a current EWS1 certificate, where the buyer does not require a mortgage. However, buyers may seek a substantial reduction compared to any previous market value of the apartment.

**Our building was given an EWS1 certificate with a B1 or A1 rating, but this has been downgraded- what can we do?**

- Ask your managing agent for a copy of the Intrusive Survey Reports for your building which lead to both the previous and downgraded EWS1 rating, so you can understand what new information came to light.
- Ask your managing agent for a copy of the Fire Risk Assessment for your building so you can understand what risks have been identified and what actions have been recommended to address the risks.
- Ask your managing agent if they will be applying to the Building Safety Fund to pay for any remediation work required.

**Our building has been told we have to have a Waking Watch. What should we do?**

- Ask your managing agent for a copy of the Intrusive Survey Report for your building.
- Ask your managing agent for a copy of the Fire Risk Assessment for your building so you can understand what risks have been identified and what actions have been recommended to address the risks. Ask them what has changed that has led to the decision to appoint a Waking Watch.

- Ask your managing agent what other steps to address the fire safety risk they have considered and rejected, such as improvements to fire doors, temporary alarm systems or changing evacuation procedures.
- Ask your managing agent if they have secured three independent quotations for the Waking Watch provider.
- Ask to see the service specification for the Waking Watch provider so you can see what service they should be providing to you.
- Ask your managing agent if they will be applying to the [Waking Watch Relief Fund – GOV.UK \(www.gov.uk\)](#) to pay for any Waking Watch required.
- Ask your managing agent what steps they are taking to address the fire risk more permanently so that Waking Watch can be removed as soon as possible.

### **Our Building Insurance is going up, what can we do?**

- Ask what information the Insurance provider has seen that has led them to increase the premium – has the insurance provider been provided with an accurate picture of your building and the risks?
- Ask your managing agent if they shopped around and got independent quotes for insurance.
- Ask your managing agent what, if any, additional premium has been added which is paid to either the managing agent or the freeholder and ask if this can be removed.
- Ask what the insurance provider said could be done to reduce risk and reduce the premium – for example, would a temporary alarm system reduce the premium?; will the premiums reduce if the remediation work is completed?; would the premium reduce if unsafe cladding is removed pending any replacement?
- Check the FCA website for latest information provided to insurers [Leaseholder buildings insurance | FCA](#)

### **Our freeholder/managing agent won't let us have a copy of the fire risk assessment and/or the intrusive survey report.**

See this advice from Leasehold Advisory Service [Fire safety in flats - Top 10 Tips - The Leasehold Advisory Service \(lease-advice.org\)](#)

If you continue to have problems obtaining information from your freeholder or managing agent, [contact LBTH \[email address\]](#), your local councillor or MP, and ask if they can help intervene on your behalf.

### **Can we ask the developer of our building to fix the issues with the building, or claim on the warranty?**

This article on the Leasehold Knowledge Partnership website covers points around warranties, surveyors and developers. [Should the buyer beware? Leaseholders and fire safety remediation costs - Leasehold Knowledge Partnership](#)

### **Our building does not qualify for the Building Safety Fund, what can we do?**

This is a major challenge for many leaseholders, and even buildings that are eligible to apply to the Building Safety Fund may find that not all of the remediation work required is covered by Government funding. The Government has said it will make further announcements about how work on buildings will be financed :[Government to bring an end to unsafe cladding with multi-billion pound intervention - GOV.UK \(www.gov.uk\)](#).

Ultimately any costs not covered by Government funding or paid for by the freeholder/developer or by a warranty, will fall to be paid by leaseholders.

### **What is the Building Safety Fund?**

The government has set up a Fund to support the remediation of buildings that have ACM and other types of cladding. The Fund has strict criteria. More information about the Fund is here: [Remediation of non-ACM buildings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/remediation-of-non-acm-buildings) and [Private sector ACM cladding remediation fund: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612247/private-sector-acm-cladding-remediation-fund-prospectus.pdf)

Making an application to the Building Safety Fund is a complex process. Applications to the Building Safety Fund are made by the Freeholder/Managing Agent/Right to Manage Company rather than individual leaseholders.

The Association of Residential Managing Agents (ARMA) have published a set of useful information that explains what a Managing Agent/Freeholder has to do to complete an application to the Building Safety Fund [Leaseholder Advice \(arma.org.uk\)](https://www.arma.org.uk/~/media/ARMA/Files/LeaseholderAdvice.pdf)

This is a flow chart setting out the steps to be taken [Building Safety Fund - Fund Application Process Infographic June 2021.pdf \(arma.org.uk\)](https://www.arma.org.uk/~/media/ARMA/Files/BuildingSafetyFundFundApplicationProcessInfographicJune2021.pdf) Your Managing Agent should be able to explain what stage of this process that are at, and what steps are required to progress the application.

This is an overview for leaseholders [Microsoft Word - Building Safety Fund - Briefing Document for Leaseholders June 2021.docx \(arma.org.uk\)](https://www.arma.org.uk/~/media/ARMA/Files/MicrosoftWord-BuildingSafetyFund-BriefingDocumentforLeaseholdersJune2021.docx)

This describes what parts of a building are covered by the Fund [Building Safety Fund - What is covered Infographic June 2021.pdf \(arma.org.uk\)](https://www.arma.org.uk/~/media/ARMA/Files/BuildingSafetyFund-WhatIsCoveredInfographicJune2021.pdf)

The Building Safety Fund does not cover all types of remedial work that may be required, for example, the Fund does not cover buildings under 18 meters in height and does not cover the cost of replacing wooden balconies.

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# Intermediate Housing Register Update

September 2021

Page 93

Agenda Item 3.3

## What is it and why?

- Contributes to the Council's commitment to develop and promote affordable housing within the Borough, as stated in the Council's Housing Strategy 2016-2021.
- Ensures that residents are first in line to benefit when intermediate housing units become available

Page 94

The IHRI enhances the opportunities for those who are not a priority for social housing, but who are unable to afford market housing options within the Borough, to access affordable intermediate housing products in the Borough.

- The IHRI is a data store to be accessed by participating registered providers to identify applicants interested in their products. The registered providers then market and select appropriate interested applicants for an affordability test for the product and make offers as a result.
- No council administration involved - self administered by RP's and developers although Council have procured the RAPID IT system to register and prioritise applicants – enabling direct and targeted marketing.

# Intermediate Housing Register



- In March 2021, Cabinet approved the Intermediate Housing Policy which prioritises applicants for intermediate homes for sale or rent in the Borough during the initial first three-months of marketing any new Intermediate Housing Schemes built in the Borough.
  - The prioritisation is applied irrespective of whether the schemes have been developed with or without any GLA or Government financial support/funding..
- After the initial three months of marketing, eligibility will automatically cascade to the London-wide offer as specified by the GLA where other qualifying applicants may apply.



# Intermediate Housing Policy



- New policy conforms with the GLA's Affordable Homes eligibility criterion.
- Income thresholds:
  - Household income of < than £60,000 per annum for intermediate rent homes
  - Household income of <than £90,000 per annum for shared ownership homes
- No set minimum income for intermediate homes. Developers will screen applicants for affordability. The applicant will be required to show that they have the financial means for the home to be affordable to them .
- Applicants will be required to have sufficient deposit for the purchase (usually 5-10%) and will also need to have enough savings or to be able to access the costs of buying a home; for instance, to cover additional costs such as legal fees and Stamp Duty Land Tax.

# Intermediate Housing Policy



## Priority Matrix for the first three months of marketing new Intermediate Homes

1. Existing social housing tenants (living in accommodation owned by the Council or a Registered Provider as registered).
2. Armed forces personnel (serving military personnel and former members of the British Armed Forces discharged within the last 2 years)
3. Any Tower Hamlets Residents
4. Any Hamlets' residents who have been working in the Borough for the past six months

Applicants within each band will be accorded priority accordingly to the date of their registration on the IHRI

- Each scheme will have its own valuation and costs. Applicants will be required to show that they have the financial means for the home to be affordable to them.
- In the event of a 'tie' between applicants in one of the priority groups, the applicant/household who is on the lower income threshold of affordability should be prioritised.

# Intermediate Housing Register



## Benefits

- Maximises housing supply for those eligible (reducing pressure on supply in the Borough).
- Encourages and facilitates residents on low to medium incomes, who have the financial ability and the aspirations of home ownership, towards achieving their goal, via the intermediate housing route.
- Prioritises existing social tenants, working age sons and daughters living with parents, residents who are private renters, living with family or friends and others on low/middle incomes living and working in the borough.

Page 98

Benefits residents with a moderate level of income, enabling social mobility for those residents who with some assistance, would be able to acquire and step into affordable housing. High rents and house prices in the Borough mean that there are many residents who are unlikely to be eligible for social housing, but who could have their housing needs met by intermediate products.

- Offers residents the opportunity to purchase a home on a shared ownership basis where they cannot afford to purchase outright. Residents moving away from the private rented sector - where rents are typically above 40% of household's housing costs may benefit from reducing their rent liabilities, in turn reducing the stress and anxiety related to affordability of housing which can impact on the mental health and well-being of residents
- Many households across all tenures are affected by over-crowding, particularly as a result of their extended families moving in. Residents who have the financial means to move into an intermediate housing unit will benefit from having first priority for any new intermediate homes built within the Borough during the initial first three months of marketing.

# Intermediate Housing Register



## What next?

- The RAPID IT system has been extensively tested by users and will go live in September 2021.
- The Communication Team are co-ordinating work to promote and publicise the Intermediate Housing Register.
- Web content has been developed to provide information about the Council's Intermediate Housing Policy and Register of Interest, with a link where applicants can register their interest and view up and coming schemes set to launch in the Borough.



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