

Housing & Regeneration Scrutiny Sub Committee

Agenda

Thursday, 19 October 2023 6.30 p.m.
Council Chamber - Town Hall, Whitechapel

Members:

Chair: Councillor Abdul Mannan

Vice Chair: Councillor Shafi Ahmed

Councillor Musthak Ahmed, Councillor Saif Uddin Khaled, Councillor Marc Francis,
Councillor Asma Islam and Councillor James King

Co-opted Members:

Mahbub Anam ((Tenant representative)) and Susanna Kow ((Leaseholder
representative))

Deputies: Councillor Mohammad Chowdhury, Councillor Ayas Miah, Councillor
Amina Ali, Councillor Bellal Uddin, Councillor Kamrul Hussain and Councillor Bodrul
Choudhury

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

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<http://www.towerhamlets.gov.uk>



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Viewing or Participating in Committee Meetings

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A Guide to Overview and Scrutiny

The Local Government Act 2000 established the overview and scrutiny function for every council, with the key roles of:

- Scrutinising decisions before or after they are made or implemented
- Proposing new policies and commenting on draft policies, and
- Ensuring customer satisfaction and value for money.

The aim is to make the decision-making process more transparent, accountable and inclusive, and improve services for people by being responsive to their needs.

In Tower Hamlets, the function is exercised by the Overview & Scrutiny Committee (OSC). The OSC considers issues from across the council and partnership remit. The Committee has 3 Sub-Committees which focus on health, housing and grants.

Housing & Regeneration Scrutiny Sub Committee

The Housing & Regeneration Scrutiny Sub Committee will undertake overview and scrutiny, pertaining to housing matters. This will include:

- (a) Reviewing and/or scrutinise decisions made or actions taken in connection with the discharge of the Council's housing functions;
- (b) Advising the Mayor, DCLG Commissioners or Cabinet of key issues/questions arising in relation to housing reports due to be considered by the Mayor, DCLG Commissioners or Cabinet;
- (c) Making reports and/or recommendations to the full Council and/or the Mayor, DCLG Commissioners or Cabinet in connection with the discharge of housing functions;
- (d) Delivering (c) by organising an annual work programme, drawing on the knowledge and priorities of the council, registered providers and other stakeholders, that will identify relevant topics or issues that can be properly scrutinised;
- (e) Holding service providers to account, where recent performance fails to meet the recognised standard, by looking at relevant evidence and make recommendations for service improvements;
- (f) Considering housing matters affecting the area or its inhabitants, including where these matters have been brought to the attention of the sub-committee by tenant and resident associations, or members of the general public.
- (g) The Sub-Committee will report annually to the Overview and Scrutiny Committee on its work.

Public Engagement

Meetings of the sub committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

London Borough of Tower Hamlets

Housing & Regeneration Scrutiny Sub Committee

Thursday, 19 October 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF INTERESTS (PAGES 7 - 8)

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) (PAGES 9 - 18)

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the held on 11th September 2023.

3. OUTSTANDING ACTIONS

4. REPORTS FOR CONSIDERATION

4 .1 Fire Safety Action Plan (Pages 23 - 42)

4 .2 Bringing Housing Management Services (THH) back in-house (Pages 43 - 60)

4 .3 Building Safety Update (Pages 61 - 74)

5. ANY OTHER BUSINESS

Next Meeting of the Housing & Regeneration Scrutiny Sub Committee

Thursday, 14 December 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel

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.

COMMITTEE, 11/09/2023

**LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE HOUSING & REGENERATION SCRUTINY
SUB COMMITTEE**

**HELD AT 6.30 P.M. ON MONDAY, 11 SEPTEMBER 2023
THE COMMITTEE ROOM 1, TOWER HAMLETS TOWN HALL,
160 WHITECHAPEL ROAD, E1 1BJ**

Members Present in Person:

Councillor Abdul Mannan (Chair)
Councillor Musthak Ahmed
Councillor Shafi Ahmed
Councillor Marc Francis
Councillor Asma Islam
Councillor James King
Councillor Bellal Uddin -(Substitute)

Other Members Present in Person:

Councillor Kabir Ahmed -(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)

Co-Optees Present in Person

Mahbub Anam -(Tenant Representative)
Susanna Kow -(Leaseholder Representative)

Officers Present in Person:

Paul Burgess -(Strategy and Policy Officer)
Daniel Kerr -(Strategy and Policy Lead)
Justina Bridgeman -(Democratic Services Officer, Committees)

Karen Swift -(Director, Housing and Regeneration)
Una Bedford -(Senior Strategy and Policy Officer)

Invited Guests:

Andrea Baker -(Chair of Tower Hamlets Housing Forum (THHF))

COMMITTEE, 11/09/2023

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Saif Uddin Khaled.

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests, however, Councillor James King declared he is a Tower Hamlets Homes Leaseholder, Mahbub Anam declared he is a Tower Hamlets Homes Board Member and Councillor Shafi Ahmed declared he is a Tower Hamlets Homes Leaseholder and Board Member.

2. APPOINTMENT OF VICE CHAIR

The Chair requested nominations for the position of Vice-Chair of the Housing and Regeneration Scrutiny Sub-Committee for the municipal year 2023/24. Councillor Musthak Ahmed proposed Councillor Shafi Ahmed for the position. This was seconded by Councillor Bellal Uddin.

There were no further nominations received.

The Housing and Regeneration Scrutiny Sub-Committee **RESOLVED** to:

1. Elect Councillor Shafi Ahmed the Vice-Chair of the Housing and Regeneration Scrutiny Sub-Committee for the municipal year 2023/24.

3. HOUSING AND REGENERATION SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS 2023/24

Justina Bridgeman, Democratic Services Officer, requested members to note the Housing and Regeneration Scrutiny Sub-Committee's terms of reference, membership, quorum and meeting dates for the municipal year 2023/24. The terms of reference were agreed at the Overview and Scrutiny Committee meeting held on 16 May 2023.

The Housing and Regeneration Scrutiny Sub-Committee **RESOLVED** to:

1. Note it's terms of reference, quorum, membership and meeting dates as set out in appendices 1,2 and 3 of the report.
2. **Agreed** to hold all Housing and Regeneration Scrutiny Sub-Committee meetings at 6.30pm in the Council Chamber for the municipal year 2023/24.

Councillor Marc Francis agreed to the terms of reference, membership and start times of sub-committee meetings, but objected to the current number of meetings and requested this be increased to accommodate the performance of

COMMITTEE, 11/09/2023

Tower Hamlets Homes now back in-house. A request was made to appeal to both Democratic Services and the Chief Executive for an increase.

Daniel Kerr, Strategy and Policy Lead, confirmed that requests of this nature must be considered at Overview and Scrutiny Committee meetings and this will be presented at the next meeting, scheduled for Monday 18 September. Sub-committee members were advised that resource implications require consideration, as other committee meetings may be affected. This can then be discussed with the Chief Executive and Democratic Services if agreement is given at the OSC. Daniel also reminded members that scrutiny challenge sessions are also available to examine specific housing issues in more depth.

RESOLVED that

1. The request to increase the Housing and Regeneration Scrutiny Sub Committee meetings from 5 to 9 to be taken to the Overview and Scrutiny Committee meeting on 18 September.

4. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Sub Committee meeting held on 27 April 2023 were approved as a correct record of proceedings.

Matters Arising

Sub-committee members expressed concern that some requests made at the last meeting were not fully relayed as actions. Examples given included the request that an extra column be created within the Key Performance Indicators (KPI's) to denote repeat Member Enquiries (ME's) for the same enquiry, to understand the responses given and also to add specific categories that most common ME's fall under, establishing if these queries relate to emergencies.

The Social Landlords Performance report did not have full details for eight registered provider KPI's which were required by the sub-committee. Officers at the last meeting explained that some providers hold stock outside the borough, which means data may be manipulated to produce details for Tower Hamlets. The Tenant Satisfaction Measures (TSM) now required by the Regulator of Social Housing should create more accurate details.

The sub-committee also took a vote on increasing the meetings from 5 to 9 and requested a formal note be submitted to the Chief Executive for the increase and queried it this was undertaken by the Chair. Daniel Kerr reiterated that this request would have to go to the Overview and Scrutiny Committee in the first instance. It will be brought to the next OSC meeting on 18.09.23 for discussion and if agreed, a further discussion with the Chief Executive would take place, as per the governance process..

Sub-committee members were also concerned about other actions not on the agenda. See item 5 for further details.

COMMITTEE, 11/09/2023

5. OUTSTANDING ACTIONS

Paul Burgess, Strategy and Policy Officer, updated sub-committee members on the following;

- Local Plan Update – 16 February 2023 meeting. The update from the Planning and Building Control department to be included in the HRSSC work programme for 2023/24. Paul Burgess informed sub-committee members that this will be added to the OSC budget and policy framework.
- Swan Housing Presentation: 360 Report – 16 February 2023 meeting. Swan Housing to submit their 360 Feedback Report, resident's response and KPI's before the 27th July meeting. (Meeting moved to 11.09.23). Details Pending.
- Social Landlords Report – 27 April 2023 meeting: THH to submit a brief outlining contractor response times and general performance to the sub-committee for the first meeting of the municipal year 2023/24. This item has been added to the work programme for the 14th December 2023 meeting.
- Homelessness backlog – 27 April 2023 meeting. To be brought to the sub-committee for municipal year 2023/24. This item has been added to the work programme for the 14th December 2023 meeting.
- THH Major Works Programme – 27 April 2023 meeting. A comprehensive report on THH Major Works Programme (with details on response times and general performance) to be included in the HRSSC work programme for 19th October meeting.
- An Estates ASB Summer Action Plan – 27 April 2023 meeting. Action plan to be brought to the sub-committee for municipal year 2023/24. Details Pending.

Sub-committee members raised concerns around the number of items added to the work programme, as some items are outstanding actions and only require updates. A number of Freedom of Information (FOI) requests have been received with regard to Tower Hamlets Homes (THH) and reviewing its performance figures before November would be beneficial to the sub-committee. Members also noted that the Local plan being returned to the sub-committee is valuable for the regeneration aspect of scrutiny, as the initial plan was presented to members in February. See item 7 for further details.

COMMITTEE, 11/09/2023

6. REPORTS FOR CONSIDERATION

6.1 CABINET MEMBERS OVERVIEW OF HOUSING AND REGENERATION PRIORITIES FOR 2023/24

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding, provided reflections from last year and outlined the key priorities for municipal year 2023/24.

Councillor Ahmed emphasised the councils commitment to delivering the key priorities to ensure safe and affordable housing for borough residents. This included;

- Housing supply,
- Housing management planning
- Place based regeneration,
- Safety and compliance
- Homelessness and rough sleeping.

The key priorities incorporated in the OSC forward program, which align with the Local plan to manage borough development were outlined for members. These include a progress review of the affordable homes delivery target, a review of the customer journey for homeless residents or those facing homelessness, continual management of risk as Tower Hamlets Homes move in-house and the response to the Social Housing Regulations Act 2023.

Further to questions from the sub-committee, Councillor Kabir Ahmed and Karen Swift, Director of Housing:

- Clarified that the high demand for housing outweighs supply throughout the country.
- Confirmed that sites for modular homes are located on Landon Walk in Poplar. Work has begun in Candy Street. A written brief can be submitted to members for review.
- Noted that private renters issue with a section 21 eviction notice is resulting in more approaches to the homelessness service. Due to the lack of housing stock within the borough, some families are being housed in locations outside Tower Hamlets. Work with landlords takes place to halt notices. The Private Reform Bill will assist as no fault evictions will be banned. For further details see item 6.2.

COMMITTEE, 11/09/2023

- Confirmed that the cost of materials and construction is having a detrimental impact on council finances. Homeless households in emergency situations are being housed in commercial hotels.
- Noted that the PRS is vital to managing homelessness within the borough and incentives for Landlords are in place, with an insurance offer. However, there are still challenges as less than 2% of listings are affordable to local housing allowance claimants and buy to let properties are decreasing. Landlords are moving away from providing temporary accommodation, due to increased costs, energy efficiency targets that need to be met and the removal of tax breaks.
- Confirmed that a review of the Homelessness Strategy has been completed which evaluates the last five years. Consideration of where to house homeless households may be included in a future strategy and the placement policy will also be reviewed. 52% of temporary accommodation is within the borough and the remaining outside. Of those outside, 85% they are in neighbouring boroughs
- Clarified that there are currently 249 families in bed and breakfast hotels in the borough, with 168 placed longer than six weeks.
- Noted that direct delivery of housing stock and buy backs are being considered, as well as section 106 agreements with developers to further invest in affordable housing.
- Confirmed that a budget of £1.8 million has been agreed for an extra 22 staff members, the council will contact all leaseholders to encourage those considering letting properties to work directly with Tower Hamlets. Publicity on this is taking place now.
- Confirmed that an open day took place on 11.09.23 for developers and social housing partners.

Following comments from Councillor Kabir Ahmed and Karen Swift, the sub committee;

- Requested details of properties bought by the council on the open market for use as temporary accommodation.
- Requested homelessness referral figures, temporary accommodation and placement details in and out of the borough to be brought to the sub-committee for review.

COMMITTEE, 11/09/2023

RESOLVED that

1. Details of properties bought by the council on the open market for use as temporary accommodation to be brought back to the sub-committee for review.
2. A written brief of modular homes located in the borough to be brought back to the sub-committee for review.
3. A written update on the homelessness referral figures, temporary accommodation and placement details in and out of the borough and improvement measures to be brought to the sub-committee for review.
4. The presentation be noted.

6.2 RENTERS REFORM BILL

Una Bedford, Senior Strategy and Policy Officer, gave an overview of the Renters Reform Bill, introduced on 17 May 2023, following the government white papers housing reform strategy. It is believed that a second reading of the bill will be heard sometime in October. The Reform Bill includes a number of measures such as:

- The end of the Section 21 notice of no-fault evictions from landlords.
- Civil penalties of up to £30,000 for unlawful evictions can be imposed by local authorities.
- The abolition of assured and shorthold tenancies and the introduction of periodic assured tenancies.
- Mandatory written statements from registered providers and private sector landlords to tenants, outlining terms and conditions to recover possession of the property, as well as the rights and obligations of all parties.
- The amendment of notice periods from 2 weeks to 4 weeks for private landlords, and in instances of anti-social behaviour, reversing the timescale from 4 weeks to 2 weeks to claim earlier possession.
- The introduction of a private renters ombudsman service to tackle indefensible rent increases.
- A new digital property portal to fully understand property details and agreements.
- Tenants can challenge above market rent increases, through the first-tier tribunals to the Property Chamber.

Further legislation is likely to include a ban on landlords excluding renting to housing allowance claimants. The sub-committee were then informed of details missing from the bill which includes:

- How the Decent Homes Standard for PRS will be managed.

COMMITTEE, 11/09/2023

- Further details in regard to a Housing Court, although the government is in talks with the Ministry of Justice, HM Courts and the Tribunal Service to use a modern digital service, details have not been released.
- Concerns around Affordable Homes.
- Details on rent control have not been considered.

Una Bedford informed sub-committee members of the risks associated with a decrease in PRS properties, due to the abolition of Section 21 notices. There are also potential issues with some landlords unfairly issuing a Section 8 notice to evict tenants, on the grounds of breaching tenancy agreements with anti-social behaviour as justification.

Further to questions from the sub-committee, Una Bedford and Karen Swift:

- Conceded that further details on the reform have not yet been released by the government but will be brought back to the sub-committee once published.
- Confirmed that shared owners are currently considered shorthold tenants. If arrears are accrued or anti-social behaviour takes place, a possession order would be sought. Once this legislation comes into effect, a shared owner would be viewed as a long leaseholder.
- Noted that a Private Renters Reform Working Group will be formed to establish the potential impacts, resources and services best placed to mitigate. Growth fund bids and additional 'New Burdens' government funding will be a consideration. However, due to a national shortage there are challenges with recruiting Enforcement Officers.
- Conceded that as landlords are already moving out of the market, consideration should be given to purchase properties from those wishing to sell in order to keep tenants in accommodation
- Confirmed that the working group will consider all potential impacts the reform will have to the housing advice service, including supporting tenants challenging rent increases with first-tier tribunals and working with other advice organisations. Updates to be brought back to members within the next four months.
- Explained civil penalties of up to £30,000 for unlawful evictions can be imposed by local authorities. If an eviction takes place due to the owner wishing to move family into the home but this does not happen after a specific time period, further penalties of up to £5,000 can be issued. Full details on this and other enforcement measures are pending.

[Clerk's Note – the white paper referenced is available here: [A fairer private rented sector – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/a-fairer-private-rented-sector)]

COMMITTEE, 11/09/2023

RESOLVED that

1. Further details on the Renters Reform Bill to be brought back to the sub-committee once government updates are released.
2. Updates on the Renters Reform Working Group to be brought back to the sub-committee within four months.
3. The presentation be noted.

6.3 HOUSING OPTIONS

Karen Swift, Director of Housing, informed the sub-committee that due to an ongoing external grievance investigation, which garnered newspaper coverage, details cannot be disclosed at this meeting. A written response will be brought to sub-committee members once the investigation has concluded outside of the meeting. The main premise of the complaint was outlined to members. A collective grievance was made by members of the homelessness service, and an external investigator commissioned by HR was appointed. The deciding manager will be a Corporate Director outside of Housing.

Sub-committee members requested updates on the second issue regarding 40 Somali families who have approached councillors around homelessness, poor service quality and structural discrimination. Karen Swift informed the sub-committee that a meeting was held with the families and Usman Zia, Head of Housing Complaints was present and is handling individual complaints.

Many of the women at the meeting had received automated text messages stating there were no properties to bid for that week. This caused confusion as this text relates to available properties listed on a given week. The text was misleading.

Karen Swift informed members that a second article concerning vulnerable residents asked to pay for council accommodation are unsubstantiated claims and publicity around scams has been posted in 'Our East End' magazine. The council will never request money in exchange for council property and if instances do occur, this is a scam which needs to be reported to the police and the council for investigation. The council has an active fraud team and all housing allocations are fully documented for audit purposes.

Concerns were raised that performance issues were not discussed and that Members should have had sight of the investigation in a restricted format, as this has an impact on performance. Daniel Kerr reiterated that the investigation is ongoing and details cannot be disclosed as this stage.

[Clerk's Note – details on scam warning available here:
[Our East End - September 2023 \(towerhamlets.gov.uk\)](https://towerhamlets.gov.uk)]

COMMITTEE, 11/09/2023

RESOLVED that

1. A written response to be brought to sub-committee members after the Housing Options grievance investigation has concluded outside of this meeting.
2. A written update on the Somali families housing issue and expected conclusion date to be sent to the Chair outside of this meeting.

7. HRSSC DRAFT WORK PROGRAMME 2023/24

Paul Burgess, Strategy and Policy Officer, proposed topics to discuss at the remaining meetings for the 2023/24 municipal year. The details will be submitted to the OSC next week. Sub-committee members were reminded that Scrutiny reviews are available to look at topics in more depth if required. The following topics were suggested:

- The Chair requested the Social Landlords Report be added to the next meeting scheduled for 19 October, and as a standing agenda item going forward. There should be a breakdown of affordable homes and social rented properties.
- Registered Providers should be invited to discuss performance issues with the sub-committee.
- Local residents should be invited to discuss lived experience of housing issues in the borough to the sub-committee. This should include existing stock and older buildings as well as new builds.
- A spotlight on THH Major Works Programme and other registered providers on the agenda or as a deep dive discussion..
- THH should be added to the agenda as a standing item.

RESOLVED that

1. The presentation be noted.

8 ANY OTHER BUSINESS

None

The meeting ended at 8.43pm

Chair, Abdul Mannan

Housing and Regeneration Scrutiny Sub Committee

Scrutiny Action Log

Name of Committee: **Housing & Regeneration Scrutiny Sub-Committee**

Municipal Year: **2022-23**

Reference	Action	Assigned to	Scrutiny Lead	Due Date	Response
Insert date	Insert agenda item title and the action requested by the committee	Insert name of director	Insert scrutiny lead	Insert Date	Response provided by the service/ witness
16.02.23	An update on the Local Plan from the Planning and Building Control department to be included in the HRSSC work programme for 223/24				Will be picked up at OSC as part of budget and policy framework
27.04.23 Page 17	Swan Housing to submit their 360 Feedback Report, resident's response and KPI's before the 27 July meeting. (<i>Meeting moved to 11.09.23</i>)	Swan Housing		11.09.23	
	A comprehensive report on THH Major Works Programme (<i>with details on response times and general performance</i>) to be included in the HRSSC work programme for 223/24.	THH		TBC	
	An Estates ASB Summer Action Plan be submitted to the sub-committee for municipal year 2023/24.	THH		TBC	
	Homelessness backlog to be brought to the sub-committee for municipal year 2023/24.				Will be picked up with the HRSSC work programme

Scrutiny Action Log

Page 18	27.04.23	confirmed that Clarion will provide data for the next quarters report, as they are still dealing with issues related to the cyber-attack.	Clarion Housing		19.10.23	This should be in the Social Landlord's Report.
		Conceded that further work with the eight RP's unable to provide data to establish their performance levels is required. Some RP's do hold stock outside the borough, which means data may be manipulated to produce details for Tower Hamlets. The forthcoming Tenant Satisfaction Measures (TSM's) should create more accurate details.	Eight RP's		19.10.23	This should be in the Social Landlord's Report.
		Requested that an extra column is created within the KPI's to denote repeat ME's for the same enquiry, to understand the responses given and also specific categories that the most common ME's fall under to establish if these queries relate to emergencies.	All RP;s		19.10.23	This should be in the Social Landlord's Report.
		lastly, Councillor Nathalie Bienfait requested The Chair take a vote on increasing sub-committee meetings from five to nine for municipal year 2023/24. This was seconded by Councillor Marc Francis. On a vote of 5 for, 0 against and 1 abstention, the sub-committee agreed a formal note be submitted to the Chief Executive to increase the Housing and Regeneration Scrutiny Sub-Committee meetings from five to nine.	Chair		19.10.23	This will go to OSC on 18.09.23 in the first instance. If agreed then to the CEO to discuss resource implications on all other committee meetings.

Scrutiny Action Log

11.09.23	The request to increase the Housing and Regeneration Scrutiny Sub Committee meetings from 5 to 9 for 2023/24	OSC		19.10.23	As above
	Details on the number of properties bought by the council on the open market, for use as temporary accommodation to be brought back to the sub-committee for review.	Housing		19.10.23	430 homes (to September 2023) have been acquired for use as TA. 182 were purchased from existing LBTH leaseholders, 224 from Poplar Harca and 24 private purchases on out of borough homes. 2 homes are still to complete within the existing programme.
	A written brief of modular homes located in the borough to be brought back to the sub-committee for review	Housing		19.10.23	
Page 19	A written update on the homelessness referral figures, temporary accommodation and placement details in and out of the borough and improvement measures to be brought to the sub-committee for review.	Housing		19.10.23	
	Cllr Ahmed to provide written update on the number of families in bed and breakfast accommodation beyond the legal 6 week period and the increase in number since the start of the current mayor's administration.			19.10.23	

Insert attachments as appendices where applicable

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Progress of HRSSC's Fire Safety Action Plan

Karen Swift, Director of Housing and Regeneration



Background



- The Action Plan arose from recommendations made by HRSSC following a Fire Safety scrutiny review undertaken in May 2021 following the fire at New Providence Wharf.
- The report, detailing the recommendations of the review with its supporting action plan, was approved by the Mayor and Cabinet in November 2022.
- Officers are bringing this back to the Committee to provide an update on the progress made in delivering the Committee's recommendations from which the plan was developed.
- Members will see from the Action Plan that the Actions against the Committee's recommendations fall into one of several categories:
 - Ongoing as 'Business as Usual'
 - Complete
 - Actions which cannot be progressed due to resource and legal implications



Actions incorporated as BAU (1)



Recommendation	Impact
<p>R1: 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.</p>	<p>Assurance provided to public – as both the 2021 London Plan and the Gateway One process require fire statements to be submitted as part of certain applications. In addition, the HSE (Health and Safety Executive) has become a statutory consultee for applications including relevant buildings submitted since August 2021. Assessment of detailed fire safety plans is carried out at Building control stage.</p>
<p>R2: Investigate the promotion of “Commonhold” with our PRP partners, builders, and developers.</p>	<p>THHF’s Development Sub-group have agreed to discuss this topic as an Agenda item at their meeting in February 2024.</p>
<p>R4: Further publicise the council’s building safety pledge to residents, building owners and PRPs</p>	<p>Continued horizon scanning ensures that Comms Team are able to update web content and communicate to residents and all stakeholders any changes in policy or legislation. Council’s pledge woven into these communications</p>
<p>R8: Continue to lobby the government with our PRP partners for increased funding for independent advisory services at every opportunity</p>	<p>We continue to do this at every possible activity through any consultation response activities, our meetings with DLUHC and discussion at relevant London Council and GLA meetings for the benefit of residents</p>
<p>R9: Raise gathering of economic data/cost implications of building safety issues at the London Housing Directors Fire Safety Group meeting to enlist the support and collaboration of other councils and PRPs.</p>	<p>Again, as per R8. we continue to raise these issues at any given opportunity – ensuring that this remains a lobbying pressure on the government.</p>

Page 23



Actions incorporated as BAU (2)



Recommendation	Impact
<p>R10: Review the findings of the final LFB report into the fire at NPW with our PRP partners, building owners and developers and consider commissioning our own independent research.</p>	<p>Work has been done and continues to be undertaken by the THHF Asset Management subgroup on fire safety aspects (with the LFB) such as PEEPS (Personal Emergency Evacuation Plans PIB's (Premises Information Boxes) and ensuring RPs are doing more to update and monitor Building Safety Plans. This also includes advice around 'staying put' and evacuation policies for high rise buildings. This provides assurance that we and RP partner have taken learning from the final LFB report and continue to work to improve safety aspects across the borough's social housing provision.</p>
<p>R11: Work with our PRP partners and building owners and developers to implement the Building Safety database.</p>	<p>The data that we collect on behalf of the government cannot be shared, we have procured a new database from Civica to ensure we meet the requirements of the government's building data base which is scheduled to go live from end of October 2023. This will provide for the better collation of data to inform the government where there are building safety issues which need to be addressed for the benefit of resident safety and well-being.</p>

Page 24



Actions incorporated as BAU (3)



Page 25

Recommendation	Impact
<p>R13: Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.</p>	<p>Council Officers meet with the LFB and RP partners as ongoing BAU. In March 2023, the LFB introduced a new draft LBTH Risk Management Plan which sets out that the LFB will work with partners (including the council and RPs) to mitigate any identified risks. The LFB has launched this year a Community Forum which takes a pan-London approach to engaging residents, and they have sought nominations from RPs for resident reps from Tower Hamlets to join the forum and who will help to shape Fire Safety Engagement. The LFB encourages THHF partners to use the LFB's Borough Risk Management Plan as the basis of a joint Fire Safety Engagement Plan.</p>
<p>R15: Establish a Tower Hamlets Fire Safety Forum with LFB and THHF partners to examine evacuation procedures and to promote appropriate fire alarms and signage.</p>	<p>A separate forum has not been set up because this is facilitated through the THHF sub-group meetings, and these issues are addressed with residents who are included at these meetings as and when their engagement and input are required. THHF sub-groups provide an opportunity for discussion and to share good practice, which benefits knowledge among all partners and provides assured continuous improvements to Fire Safety</p>
<p>R16: Establish a Resident and Landlord Fire Safety Forum to ensure effective resident involvement and collaboration in all relevant fire safety issues.</p>	<p>A pan-London wide panel across all boroughs for residents to feed into the LFB's strategy and approach to fire safety has already been created and interested tenants of RPs in the borough have been approached to participate. Residents who engage have an opportunity to become involved and can share their lived experience of fire safety issues.</p>



Actions which are completed

Recommendation	Impact
R3: Explore regular quarterly meetings between the Mayor/officers and leaseholders	The 'Ask the Mayor' sessions are no longer being used as a vehicle for engagement with residents. The Mayor has fortnightly surgeries to hear directly from residents. Leaseholders of private high rise residential building can talk direct to officers in the Fire Safety Team within the council for further information.
R5: Set up a fire safety portal that contains clear information for homeowners, tenants, leaseholders and clarifies the role of Housing Associations, builders, and developers	This action was completed before Cabinet approved the Action Plan in November 2022 and is updated as and when government policy changes are announced.
R6: Ensure the council's revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.	This action was completed before Cabinet approved the Action Plan in November 2022 and is updated as and when government policy changes are announced.



Actions that the council cannot progress due to resource implications or legal constraints



Recommendation	Reason
R7: Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment	<p>Discussions were had with the LFB about the potential use of CIL for fire equipment last year. There were operational and practical issues associated with the proposal to fund a 64m appliance for the borough that meant it was not taken forward at that time. Other equipment asks were explored but were found not to be consistent with the use of CIL.</p>
R12: Explore the feasibility of contributing to the Building Safety Map with our PRP partners and building owners.	<p>Commentary in the Action Plan explains the reasoning why we cannot build a Building Safety Map across the borough with RP partners and building owners. The council cannot put information out into the public domain in the form of a map or any other format as this information is exempt from disclosure under Section 38(1) of the Freedom of Information Act (FoIA) (2000) where disclosure of this information may be likely to endanger the physical or mental health of any individual (this could be the applicant, the supplier of the information or anyone else). Releasing this information could also cause unnecessary fear or panic and/or risk health and safety of those living in tower blocks.</p> <p>The LFB continue to encourage RPs through the relevant THHF subgroups to use the LFB's High Rise Building Data Portal. Regulations include a requirement for responsible persons of high-rise blocks of flats to provide information to the Fire and Rescue Services to assist them to plan and provide an effective operational response – they are only required to provide up-to-date electronic building floor plans and information for all high-rise residential buildings that are at least 18 meters or at least seven floors.</p>
R14: Work with PRP partners and LFB to develop a fire safety video and other engagement/comms material to promote fire safety	<p>While work was advanced with RP Partners and the LFB to develop a fire safety video, regrettably the LFB withdrew from this project due to other resource constraints. However, Members can note that the LFB have an Engagement Strategy in place and continue to work with the council and RPs to promote fire safety. The LFB has now indicated, as of October 2023, that there may be some capacity to work with the RPs to revisit the development of a Fire Safety Video and communication material which will be explored at future meetings with the relevant THHF Sub-groups.</p>



Recommendations to the Sub-Committee



The Housing and Regeneration Scrutiny Sub-Committee is recommended to:

1. Note the progress made to date in delivering the recommendations from the scrutiny review as set out in the Action Plan emanating from the original report to Cabinet in November 2022.
2. Approve the closure of this Action Plan.



HRSSC Fire Safety Action Plan – Update 2023

Recommendation 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.

Action	Responsible Officer	Status	Update October 2023
This is an ongoing 'business as usual' activity.	Planning & Building Control	Ongoing as business as usual	Both the 2021 London Plan and the Gateway One process require fire statements to be submitted as part of certain applications. In addition, the HSE (Health and Safety Executive) has become a statutory consultee for applications including relevant buildings submitted since August 2021. The aim of this is to ensure that fire safety is being considered as early as possible in the process. Assessment of detailed fire safety plans is carried out at Building control stage.

Recommendation 2: Investigate the promotion of "Commonhold" with our PRP partners, builders, and developers.

Action	Responsible Officer	Status	Update October 2023
Using THHF's Development sub-group, the implications of 'commonhold' and how it affects affordability can be highlighted and reviewed by this forum with RPs encouraged to ensure that they publicise the implications and advise and promote the reforms to their residents.	THHF/Partnership Officer	Ongoing as BAU	THHF's Development Sub-group have agreed to discuss this topic as an Agenda item at their meeting in February 2024.

Page 29

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 3: Explore regular quarterly meetings between the Mayor/officers and leaseholders.

Action	Responsible Officer	Status	Update October 2023
Mayor’s Office to consider if future ‘Ask the Mayor’ sessions can include a session or sessions on Fire and Building Safety within the timetable for the forthcoming municipal year.	Mayor’s Office/ Director of Housing & Regeneration	Complete	<p>The ‘Ask the Mayor’ sessions are no longer being used as a vehicle for engagement with residents. The Mayor has fortnightly surgeries to hear directly from residents.</p> <p>Furthermore, residents of private high rise residential building can talk direct to officers in the Fire Safety Team at the council - Email: fire-safety@towerhamlets.gov.uk and check our webpage Fire safety at home (towerhamlets.gov.uk) for further information.</p>

Recommendation 4: Further publicise the council’s building safety pledge to residents, building owners and PRPs

Action	Responsible Officer	Deadline	Update October 2023
<p>This is an ongoing communications activity which involves:</p> <ol style="list-style-type: none"> 1. horizon-scanning; and 2. ensuring the council’s website and communications are updated in accordance with the latest information and government policy/legislation. 	Senior Communications Officer	Ongoing as business as usual activity	This is ongoing as business as usual

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 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

Already Completed with web-site revamp.

Recommendation 6: Ensure the council’s revamped website explains how the BSF application process works to leaseholders and builders/developers submitting bids.

This remains a ‘business as usual’ activity. The relevant content on the council’s website will be updated as and when any new information or material is provided by the government.

Recommendation 7: Explore with the LFB and other London boroughs using CIL money to purchase firefighting equipment

Action	Responsible Officer	Deadline	Update October 2023
Further conversations needed with LFB to understand potential for any CIL compliant uses.	Planning & Building Control	November 2023	Discussions were had with the LFB about the potential use of CIL for fire equipment last year. There were operational and practical issues associated with the proposal to fund a 64m appliance for the borough that meant it was not taken forward at that time. Other equipment asks were explored but were found not to be consistent with the use of CIL.

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 8: Continue to lobby the government with our PRP partners for increased funding for independent advisory services at every opportunity.			
Action	Responsible Officer	Deadline	Update October 2023
The council webpages on fire safety contain links to independent advisory and support services for leaseholders. This remains an ongoing communications activity with: <ol style="list-style-type: none"> 1. continued horizon scanning to identify government consultations; and 2. to use opportunities to work/liaise with the DLUHC. 	Senior Communications Officer & Fire Safety Team	Ongoing as part of business as usual activity	This is ongoing as business as usual.
Recommendation 9: Raise gathering of economic data/cost implications of building safety issues at the London Housing Directors Fire Safety Group meeting to enlist the support and collaboration of other councils and PRPs.			
Action	Responsible Officer	Deadline	Update October 2023
Continue to raise this as an issue at every possibly opportunity at London Housing Directors Fire Safety Group.	Director of Housing & Regeneration	Ongoing at every possible opportunity	This is an ongoing activity as we continue to raise these costs with the London Housing Directors Fire Safety Group at every opportunity.

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 10: Review the findings of the final LFB report into the fire at NPW with our PRP partners, building owners and developers and consider commissioning our own independent research.

Action	Responsible Officer	Deadline	Update October 2023
<p>The learning and any recommendations arising from the LFB’s final report will be discussed as part of ongoing and continued discussions with THHF and with building owners and developers to ensure that they become embedded.</p>	<p>Fire Safety Team/THHF Partnership Officers</p>	<p>Ongoing and part of business as usual activities.</p>	<p>The THHF Asset Management subgroup were due to receive an update from Richard Tapp, (Borough Commander for LFB), during their meeting on 12/06/2023. However, the LFB were unable to attend this meeting.</p> <p>The subgroup is very much working with the LFB on fire safety aspects such as PEEPS (Personal Emergency Evacuation Plans PIB’s (Premises Information Boxes) and ensuring RPs are doing more to update and monitor Building Safety Plans. This also includes advice around ‘staying put’ and evacuation policies for high rise buildings.</p> <p>RPs who have unfortunately bought stock from developers that now contain numerous defects are exploring and trying to identify any latent defects that could be attributed to poor quality works at handover and where it manages the buildings will try to add this to any claims. Where RP’s do not manage the buildings, they are looking at the Defective Premises Act (1972) as a route to potentially recover the costs, the timescales in the Act mean that RPs potentially have 30 years to seek recovery of costs.</p>

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 11: Work with our PRP partners and building owners and developers to implement the Building Safety database.			
Action	Responsible Officer	Deadline	Update October 2023
As stated, the data we collect is for a government database and cannot be shared. Improvements are being made internally to how this data is being held with a new database management system underway which is currently being procured.	Fire Safety Team	Ongoing part of business as usual activities	The database has now been procured from Civica UK and is currently being configured to meet the business requirement, with the expectation that the database will go live at the end of October 2023.
Recommendation 12: Explore the feasibility of contributing to the Building Safety Map with our PRP partners and building owners.			
Action	Responsible Officer	Deadline	Update October 2023
<p>The LA cannot put information out into the public domain in the form of a map or any other format. Affected residents should already know from their building's owner if their building is affected or has fire safety issues.</p> <p>This information is exempt from disclosure under Section 38(1) of the Freedom of Information Act (FoIA) (2000). Disclosure of this information may be likely to endanger the physical or mental health of any individual - (this could be the applicant, the supplier of the information or anyone else). Releasing this information could cause unnecessary fear or panic and/or risk health and safety of those living in tower blocks.</p> <p>In addition, this information on the safety of buildings has been provided to the council in confidence. Section 41 of the FoIA (2000) sets out an exemption from the right to know where the information requested was provided to the public authority in confidence by another person, company, local authority or any other 'legal entity'.</p>	Building Safety Owners/THHF	No further Action concerning the development of a Building Safety Map	<p>The THHF Asset Management subgroup has asked the LFB's Borough Commander to attend on a regular basis to provide updates and guidance on fire safety (case studies and lessons learned). Where possible the group have also set aside additional meetings if required to discuss fire safety as a sole topic for group members.</p> <p>Throughout meetings dating back to 2021-22, the subgroup has explored the implications of recent legislation encompassing what this means for RP's, the difficulties RP's face to meet new rules and regulations resulting from the legislation.</p> <p>During the meeting held in Nov 2022, Roythornes Solicitors attended and presented on the Building Safety and Fire Safety Acts - discussing aspects which RP's need to ensure they abide by, such as: nominated persons, PIB (Premises Information Boxes for LFB) and any lifts in high rise blocks out of service for over 24hrs to be reported to the regulator to name a few. The group envisaged many notifications will be made to the LFB and RSH (Regulator of Social Housing) as lift parts can often take 8-12 weeks to arrive in worst case scenarios. The</p>

<p>RPs meet within the Asset Management Sub-group to discuss estates and management of the physical estate. Building Safety is becoming an increasing topic of discussion of this group and building owners prepare for the implementation of the Building Safety Act.</p>			<p>Borough Commander, Richard Tapp, instructed all RPs to take stock of changes and submit follow up questions if they required further clarity. To ensure information boxes are up to date and easily accessible to the LFB.</p> <p>A bespoke meeting was scheduled for Jan 5th 2023, focussing on both the Building and Fire Safety Acts and it was agreed that an item of Building Safety would become a standing item on the Agenda for every Asset Management Sub-group meeting, with updates from the LFB.</p> <p>The LBF are encouraging RPs through the relevant THHF subgroups to use the LFB’s High Rise Building Data Portal. Regulations under article 24 of the Regulatory Reform (Fire Safety) Order 2005 (Fire Safety Order) include a requirement for responsible persons of high-rise blocks of flats to provide information to the Fire and Rescue Services to assist them to plan and provide an effective operational response.</p> <p>Responsible persons (in the RPs) are only required to provide up-to-date electronic building floor plans and information for all high-rise residential buildings that are at least 18 metres or at least seven floors.</p>
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HRSSC Fire Safety Action Plan – Update 2023

Recommendation 13: Continue to meet with LFB and PRP partners to develop a joint Fire Safety Engagement Plan.			
Action	Responsible Officer	Deadline	Update October 2023
<p>The LFB have a Fire Safety Engagement Plan in place. Since the NPW fire, the level of engagement by the LFB with residents has increased rapidly, achieving good positive engagement. The council, THHF partners and the LFB have been working together since June 2021 to develop a joined-up approach to ensure Fire Safety messages are heard and seen by all residents.</p> <p>Meetings with the LFB, THHF Executive and/or Housing Management sub-group take place periodically where there are specific issues or updates that need to be discussed. One of the actions arising from the meetings around New Providence Wharf, was that the THHF Housing Management sub-group take forward Recommendation 14.</p> <p>A representative from the LFB used to regularly attend the THHF Public Realm sub- group meetings to update staff on fire hotspots, discuss fire incidents on a quarterly basis and provide advice. The sub-groups are currently under review and this work will be slotted into the work-path of one of the revised sub-groups.</p>	<p>THHF, Partnership Officers and Senior Communications Officer</p>	<p>Ongoing as part of business as usual activities</p>	<p>The Asset Subgroup has requested Richard Tapp (Borough Commander) attend every subgroup meeting to discuss case studies and follow up on any incidents and lessons learned.</p> <p>The LFB continues to engage with THHF and the sub groups. Their Borough Commander and Resident Engagement Manager attended THHF Executive in March 2023 and introduced the group to their new LBTH Risk Management Plan centred around 6 key themes:</p> <p>Prevention, Protection, Response, Preparedness, Recovery and Engagement. :Tower Hamlets Borough Risk Management Plan London Fire Brigade (london-fire.gov.uk).</p> <p>The LFB encourages THHF partners to use the Borough Risk Management Plan as the basis of a joint Fire Safety Engagement Plan moving forward.</p> <p>The LFB reported on their newly launched Community Forum which is a pan London approach to engaging residents and they are looking for resident reps from Tower Hamlets to join the forum and help shape future service delivery.</p>

Recommendation 14: Work with PRP partners and LFB to develop a fire safety video and other engagement/communication material to promote fire safety.			
Action	Responsible Officer	Deadline	Update October 2023
<p>This activity is ongoing and links in with the continued communications activity of the council and the horizon scanning which is shared with RP partners. The THHF Housing Management sub-group are working together to produce communications material with a video which will place residents as the primary promoters of the need for everyone to be involved in keeping themselves and others safe from fires. We want to involve residents from minority and disadvantaged groups with lived experience in the video.</p>	<p>Senior Communications Officer/Partnership Officers and THHF</p>	<p>Engagement and communication activities are still ongoing although the development of a fire safety video was put on hold as the LFB were unable to commit the resources into this.</p>	<p>The LFB did not proceed with the fire safety video, over the course of the past year although a considerable amount of time was spent scoping the video: what should be included, calling on residents to participate and how the video should be progressed. The LFB said they had to withdraw from it due to other pressing commitments and that the residents who agreed to participate were unsuitable because they did not have the lived experience of a fire that the LFB were looking for.</p> <p>Things have moved on considerably and the recent report on the LFB has brought widespread changes with immediate effect. The LFB have devised a new Communication & Engagement Strategy and held several sessions in the borough to find out from residents what they want from the LFB - this was fed into the strategy and Management Plan. See links below.</p> <p>https://www.london-fire.gov.uk/about-us/what-we-do/community-engagement-your-london-fire-brigade/</p> <p>https://www.london-fire.gov.uk/media/7631/lfc-23-041communicationsandengagementstrategy202326-002.pdf</p> <p>The LFB has now indicated, as of October 2023, that there may be some capacity to work with the RPs to revisit the development of a Fire Safety Video and communication material which will be explored at future meetings with the relevant THHF Sub-groups.</p>

HRSSC Fire Safety Action Plan – Update 2023

Recommendation 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.

Action	Responsible Officer	Deadline	Update October 2023
<p><i>This is an ongoing activity that is discussed within existing meeting arrangements at THHF, and it is more appropriate that these structures are used rather than to create a separate structure. Each building will have its own unique evacuation procedure – either ‘stay put’ or evacuate in the event of a fire safety incident, this will depend on the physical/design features of the building. The owners of each building will work with the LFB to ensure that the correct advice is given to residents in the event of a fire incident. Similarly, the LFB will continue to advise owners on the correct fire alarm systems and signage required for an individual building.</i></p> <p>This is an ongoing business as usual activity which rather than to create and hold a separate forum, can be facilitated through the THHF sub-group meetings, and can address these issues and include residents at these meetings as and when their engagement and input are required. THHF sub-groups provide an opportunity for discussion and to share good practice.</p>	<p>Senior Communications Officer/Partnership Officers and THHF</p>	<p>Ongoing as part of business activities of the THHF subgroups</p>	<p>A representative from the LFB attended the THHF Neighbour subgroup group to talk about PEEPS, and what’s need to ensure an effective one is set up. The representative has encouraged RPs to do these given the number of high-rise flats in the borough and the LFB indicated their willingness to work with individual RPs to set these up where needed even though this is not a legal requirement.</p>

Recommendation 16: Establish a Resident and Landlord Fire Safety Forum to ensure effective resident involvement and collaboration in all relevant fire safety issues.			
<p>Recent guidance published by the Mayor of London reiterates that building owners should talking to and actively engaging with residents. As a council we are endorsing the Mayor of London guidance and promoting this to all residents as part of our ongoing Comms Work</p>	<p>Senior Communications Officer</p>	<p>Ongoing</p>	<p>The LFB has created a London-wide panel across all boroughs for residents to feed into the LFB’s strategy and approach to fire safety. The Borough Commander from the LFB and their Community Engagement Manager attended the THHF Executive meeting (22 March 23) to update on their new engagement strategy, asking for their support and seeking nominations from interested tenants of RPs who might want to join this panel.</p>

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Bringing housing management (THH) services back in-house update

Housing & Regeneration Scrutiny Sub-Committee
19 October 2023

Nicola Klinger (Programme Lead)



Purpose

- To provide the committee with an update on the THH Insourcing programme.
- To set out how the committee can continue to monitor the performance of services for tenants and leaseholders.
- To consult the committee on proposals for an enhanced residents' panel.



Programme Delivery Approach



Two key phases for insourcing

- **Phase 1: Transferring services back in-house on 1 November 2023**
- **Phase 2: Delivering of the vision for housing management services**

Key principles

Page 43

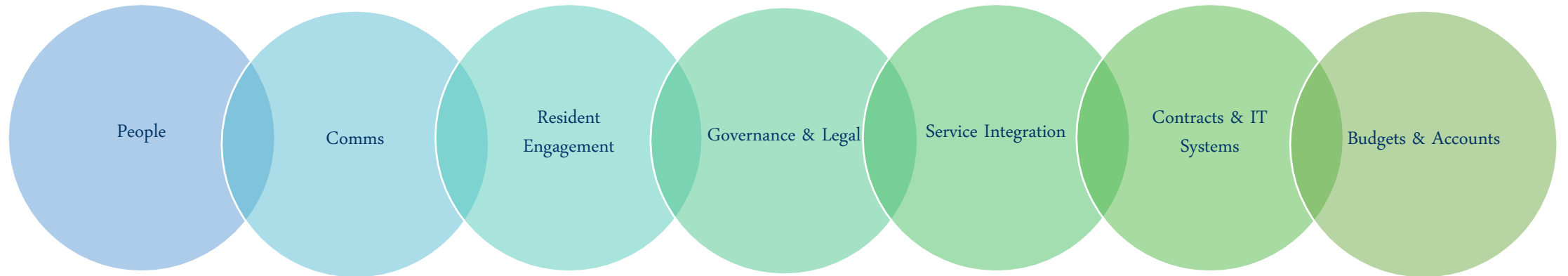
- Service continuity and minimal disruption for residents
- Seamless transition for residents and staff
- Transfer on 1 November timeframe
- Review considering service models and integration, contracts, branding and efficiencies to deliver the vision for housing management services to be completed and implemented once services are in-house and the council has a better opportunity to review budgets, service structures and service delivery.



Programme Workstreams



Page 44



Key deliverables



Workstream	Phase One	Phase Two
People	<ul style="list-style-type: none"> Transfer of staff (consultations and TUPE transfer) Staff inductions and events 	<ul style="list-style-type: none"> Advancing the vision for future housing services, including consultation & engagement with staff and residents Organisational development
Comms	<ul style="list-style-type: none"> Internal and external comms on transfer Transfer of intranet 	<ul style="list-style-type: none"> Move to council branding Advancing the vision for future housing services, including consultation & engagement with staff and residents
Resident Engagement	<ul style="list-style-type: none"> Review of tenant and leaseholder involvement and scrutiny strategy & arrangements Engagement events 	<ul style="list-style-type: none"> Tenants and Leaseholder Housing Forums to co-produce improvements and develop vision Refreshed Tenants & Leaseholders Engagement strategy
Governance and Legal	<ul style="list-style-type: none"> Review of internal governance arrangements Review of THH Policies and Procedures 	<ul style="list-style-type: none"> Implementation of new governance arrangements Wind-up of company
Service Integration	<ul style="list-style-type: none"> Lift and shift of services into two new council housing directorates (Neighbourhood Services and Housing Asset Management) HR, Comms, Executive Support, Health & Safety and Finance to lift and shift into LBTH corporate services Preparatory work to review service integration opportunities including Parking & ASB teams 	<ul style="list-style-type: none"> Embedding services into council target operating model and considering service improvement opportunities Review and implementation of services integration opportunities and reorganisation of services Customer access strategy project
Contracts & IT Systems	<ul style="list-style-type: none"> Contract novation/termination Transfer staff onto IT systems 	<ul style="list-style-type: none"> Strategic review to join-up contracts and procurements Integration of IT systems
Budgets & Accounts	<ul style="list-style-type: none"> Transfer of accounts and budgets Budget setting process 	<ul style="list-style-type: none"> Review of SLAs and continued review of budgets via budget setting process

Page 15



Oversight of the in-house functions



- **There will no longer be a client relationship between the council and THH following transfer.** New internal governance arrangements will be established to ensure the Lead Member and Mayor continue to have oversight and housing services are joined-up to strategically tackle issues.
- Services will become **embedded into the council structure and will follow corporate performance monitoring methods.**
- Residents will continue have **opportunities to scrutinise and influence services, strategies and policies.**
- Under the new Social Housing Regulatory Regime, the council will be reporting back to the Regulator of Social of Housing on its performance against new Tenant Satisfaction Measures (TSMs) which all social housing landlords have collating since April 2023. These include a range of indicators on how the social landlord is performing in terms of:
 - **property safety, condition and repair,**
 - **as well as asking tenants for their views on how the landlord is performing across a range of measures including repairs, listening and action on their views, keeping them informed, treating them fairly and with respect, and how they handle complaints**
- The Regulator will also proactively inspect the council as a large stock holding social provider at least once every four years to ensure compliance with the Regulator's Consumer Standards.
- **HRSSC will receive six-monthly reports, aligned with other Registered Providers.** If the committee wish to scrutinise performance more regularly, the Chair could consider meeting outside of committee meetings and having access to data quarterly.

Page 46



Resident Engagement



- Two resident engagement events held to understand how residents would like to be engaged with
- Periodic newsletters to residents who were further interested in being involved following the consultation on the future of housing management services
- Two models proposed for enhanced residents' panel – resident only and mixed panel.
- Consulting with stakeholders on the enhanced residents' panel including current Residents' Panel, Joint Steering Group, THH Board, Mayor & Members and Housing & Regeneration Scrutiny Sub-Committee
- First tenants/leaseholders housing forum to be held in November
- Meeting with TRAs pre-transfer to inform
- Communications with all residents included in comms plan
- Following transfer continued work to develop vision and strategy for engagement



Future Engagement with Residents



- LBTH & THH are considering how to ensure strategic resident engagement in housing services when the THH Board and its sub-committees are wound up.
 - The Resident Engagement Working Group are seeking feedback from the committee on the future of resident (tenant and leaseholder) engagement post-insourcing.
 - Work undertaken includes research into other local authorities and engagement with stakeholders
- There are new standards to consider as introduced by the Social Housing Regulation Act 2023
- Two models have emerged:

Page 48

1) Resident-led panel/board

2) Mixed panel/board



Consumer standards



Social Housing Regulation Act 2023

- Regulator of Social Housing has consulted on 4 proposed Consumer Standards (*consultation ends 17 October, outcome expected February 2024*):
 1. Quality & Safety Standard
 2. **Transparency, Influence & Accountability Standard**
 3. Neighbourhood & Community Standard
 4. Tenancy Standard

Page 49

Transparency, Influence & Accountability Standard

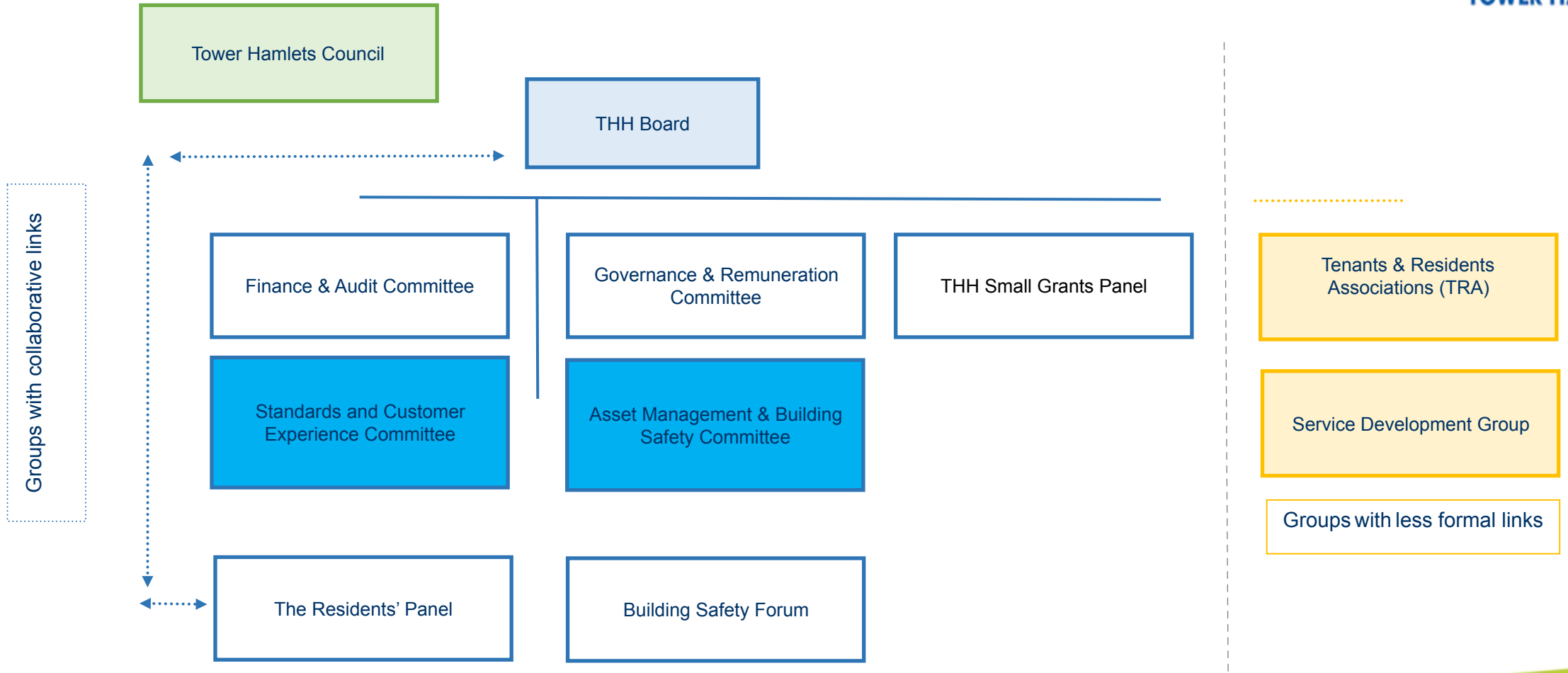
- *Registered Providers must give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services.*
- *Registered providers, working with tenants, must regularly consider ways to improve and tailor their approach to delivering landlord services including tenant engagement. They must implement changes as appropriate to ensure services deliver the intended aims.*



Current THH Governance & Engagement structure



Page 50



Option 1: Resident-led panel/board



Resident-led – formed of tenants and leaseholders without representation of Members independents though independent Chair an option

- **Remit:** advisory; challenge; raise issues; be consulted. [Not making recommendations to Cabinet].
- **Commitment:** medium
- **Workstream:** performance of housing management (operational); complaints

- **Potential advantages**

Simpler to establish; could be based on current Residents' Panel; less resource intensive to support; space for residents to discuss issues.

- **Potential disadvantages**

Need for strong & knowledgeable Chair; difficult to ensure diverse *and* representative; lack of technical expertise; concern with day-to-day issues rather than strategic matters of policy or service design; lack of concrete outcomes leading to recruitment/retention issues; harder to demonstrate residents influence to the Regulator.



Option 2: Mixed panel/board



Mixed Panel – representation from Members, independents and residents

- **Remit:** advisory; scrutinise; shape services; high-level consultation.
- **Commitment:** significant
- **Work stream:** policy; strategies; service delivery

Potential advantages

Democratic legitimacy via councillors; independents can bring specific skills and expertise; significant opportunity for residents to influence housing policy, strategy & decision-making and demonstrate this to the Regulator

Potential disadvantages

Relatively complex structure to set up and maintain; resource heavy; differences of emphasis between residents and councillors; difficulty of residents engaging with high-level/technical issues; residents in a minority overlooked or drowned out



Demonstrating resident influence



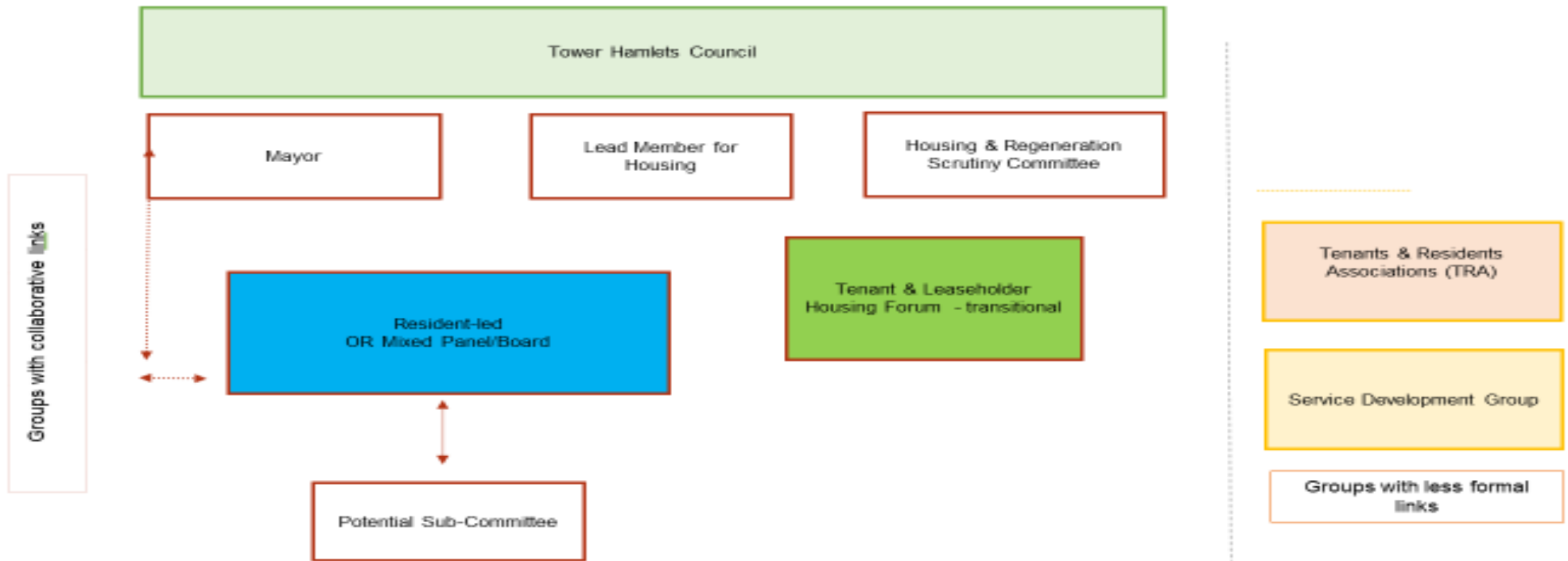
- The council could encourage **current resident Board members** to sit on a new resident-led Panel thus retaining their sector and administrative knowledge and experience
- **Options to strengthen links** between the council's governance structure and whichever model of resident engagement is selected include:
 - Lead Member for Housing attends Panel meetings.
 - Council reports (e.g., Cabinet or Housing & Regeneration Scrutiny sub-committee reports) include consideration of issues relating to resident engagement/impact on residents wherever appropriate.
 - Establishing a mechanism for strategic resident input/concerns to be fed into relevant council meetings.
 - Commitment for officers or Members to attend specific Panel meetings to address these concerns.
 - Encouraging informal lines of communication between the council and the Panel.



Potential new engagement structure



Page 54



Feedback on new engagement structure



The current Residents' Panel, Housing Management Joint Steering Group and THH Customer and Experience and Standards Committee provided feedback on the proposed models. The themes from the feedback include:

- Broad support for Option 1 - Residents led panel
- Clear ways to influence policy and decision making
- Training and support for resident members
- Suggestion Lead Member and senior officers attend Panel meetings in either model
- Independent experts to support residents
- Importance of diversity on the Panel
- Need to clearly demonstrate influence of resident on development of policies and procedures and decision making
- Critical that tenants' voices are heard and in majority on the Panel



Other LA engagement structures



Following the loss of the ALMO Board, it is typical for local authorities to create a new Board, to allow residents to influence policy, strategy and decision-making in relation to housing. The structure and function of these Boards varies but generally into two categories.

Page 56

1. **A mixed board** with representation from a mixture of members, independents and tenants/leaseholders. This type of Board is more commonly seen in councils with a smaller social housing stock, like Gateshead, Bournemouth, Christchurch and Poole and Kirklees. It was not seen in any of the London boroughs benchmarked.
1. **A resident led board**, with no member or independent participation, although members and senior officers might attend meetings. This is the model used by **Hackney, Lambeth and Waltham Forest**, although in slightly different forms. The Resident Board may have a direct channel of communication with the Lead Member, but not Cabinet as a whole.



Next steps

- HRSSC feedback on the options
- Briefing for Mayor & Lead Member
- THH in-house 1 November
- Tenant & Leaseholder Housing Forum 'live' – November
- Terms of Reference and recruitment December 2023 – February 2024
- New strategic engagement model 'live' from March 2024



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Building Safety Act – New build



Page 59 **David Leslie – Building Safety Lead**

Agenda Item 4.3



Background



- The Building Safety draft Bill, received Royal Assent on 28th April 2022, with an implementation date for some measures as late as 18 months – 2 years after royal assent in 2024 (Management of Building Safety Risks)
- Act is split into 6 parts with a large amount of secondary legislation and guidance still to be issued:

- Part 1: Introduction
- Part 2: The Regulator and its functions
- Part 3: Building Act 1984
- Part 4: Higher-risk buildings
- Part 5: Other provisions about safety standards, etc
- Part 6: General

*During the design and construction phases, a higher-risk building has at least 7 storeys or is at least 18 metres in height and either:

is a hospital or care home, or has at least 2 residential units.



The Gateway process



There are now three gateways at key stages in design and construction, which introduce new requirements during construction, that will apply to higher-risk buildings:

- Planning Gateway one – at the planning application stage (Implemented - from 1st August 2021)
- Gateway two – before building work starts (Implemented 1st October 2023)
- Gateway three – when building work is completed (Implemented 1st October 2023)

Page 61

The gateway process for council new build schemes will be overseen by the Head of Capital Delivery.

- The Building Safety Regulator will oversee building work as the building control body for higher-risk buildings. It will work closely with local authorities and fire and rescue authorities, bringing in external technical experts as necessary, to make sure the right specialists and regulators are in place when making decisions on applications.



Gateway 1 - Planning



- Planning Gateway 1 has two key elements:
 - The requirement for the developer to submit a fire statement setting out fire safety considerations specific to the development
 - To establish the Health and Safety Executive as a statutory consultee for relevant planning applications

Since August 2021, the local planning authority has been required to consult the Health and Safety Executive on planning applications for High rise buildings.

*Fire statements must be submitted on a form published by the Secretary of State.



Gateway 2 – Building Control



Building work on new high rise building can only start after building control approval from Building Safety Regulator. There is a 12-week determination period, from receipt of an application.

Key documentation required, which is new to the regime, includes:

- a competence declaration
- construction control plan
- change control plan
- mandatory occurrence reporting plan
- building regulations compliance statement
- a fire and emergency file
- a partial completion strategy (where relevant)

Once approved, Building Safety Regulator will carry out inspections during construction, and will agree a bespoke inspection schedule with the applicant. This could involve site inspections, requesting information such change control log(s), or other evidence of building regulations compliance.

The Building Safety Regulator will be able to undertake tests or take samples of building materials by cutting into or laying open building work and will be able to stop work if necessary.



Gateway 3 – Completion



Once building work is complete, a completion certificate application can be submitted.

The application must contain sufficient information to show how the building conforms to the approved design.

This will comprise of:

- ‘as built’ plans and information;
- final versions of all accompanying documents that accompanied the initial application;
- any controlled changes and the change control log;
- information captured through construction;
- information captured through commissioning; and
- information captured through final functional inspections.

(All of this information will be stored as the golden thread)

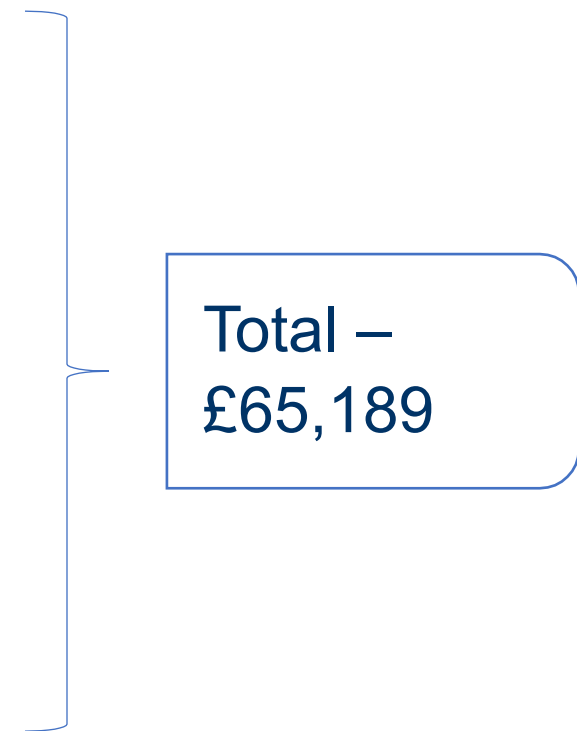
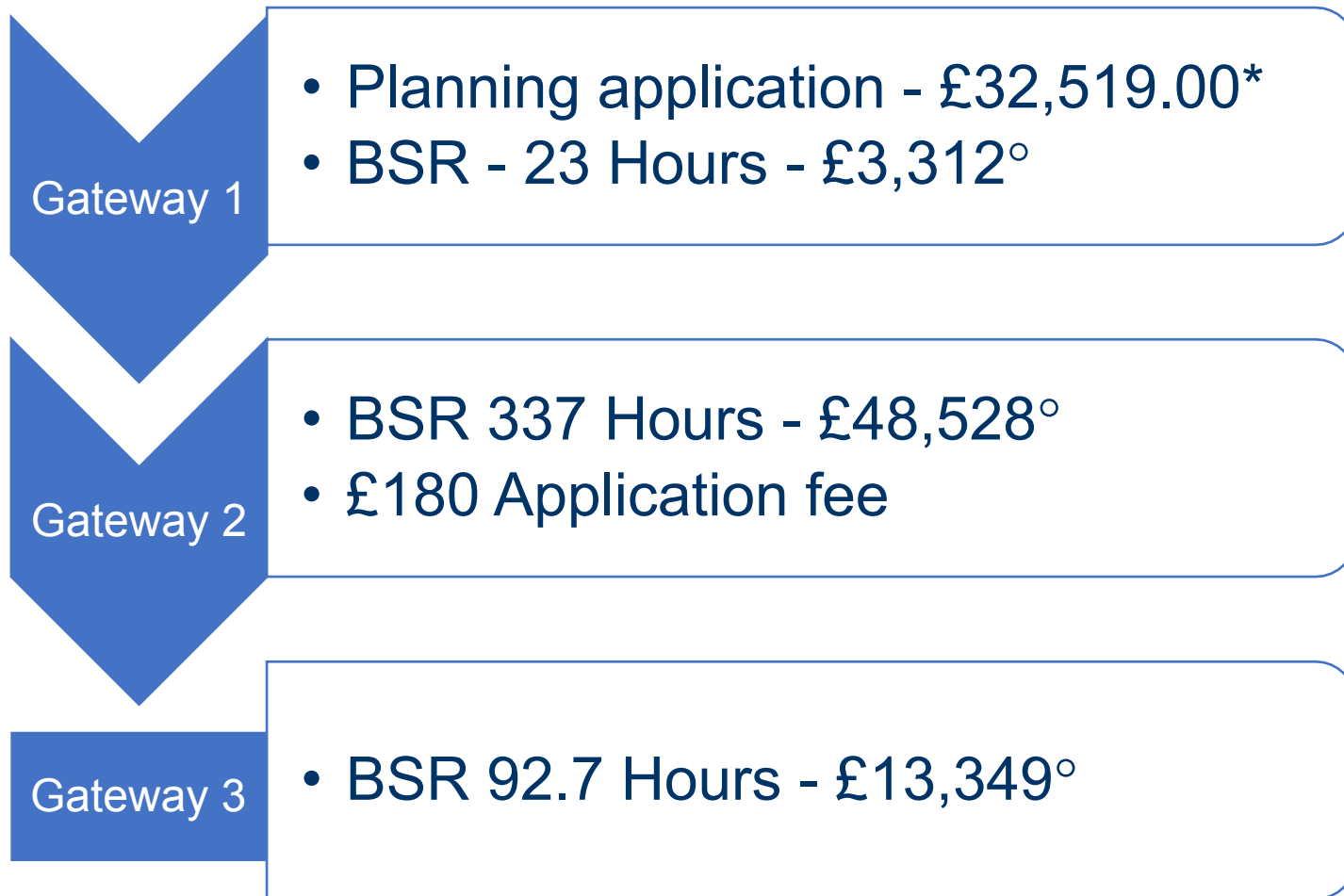
Occupation is not allowed until Building Safety Regulator is satisfied and issues a completion certificate (This will be determined by the MDT within 8 weeks), and the building is subsequently registered.

The Building Safety Regulator will carry out final inspections of the building work and assess whether the completion certificate application meets the following requirements:



Indicative Costs

Page 65



*Based on a high-rise property with 120 dwellings
°Based on Building Safety Impact assessment



New build schemes impacted



1. Albert Jacob House – Early in design
2. Ensign Centre – Early in design
3. Caxton Grove – Gateway 1 underway
4. Montefiore Centre – Early in design
5. Edward Mann Close– Gateway 1 approved
6. HAP (Harriot, Apsley & Pattison Houses) – 9 blocks – Currently being redesigned
7. Brunton- 1 block - Currently being redesigned



Enforcement



The new regime brings in changes that strengthen existing powers and introduces new enforcement tools that BSR will have at its disposal.

These powers will be available for building control authorities for all building work.

Offence	Scope of Power	Penalty	Reference
Providing false or misleading information to BSR	Criminal offence Triable as an either way offence	Unlimited fine 1 year imprisonment (magistrates) 2 years imprisonment (crown)	Section 24 BSA22
Contravention of building regulations	Criminal offence Triable as an either way offence No time limit	Unlimited fine Fine for each day the contravention continues (£200)	Section 35 BA84
	Compliance notice Must be served within 12 months	Unlimited fine 1 year imprisonment (upon summary conviction - magistrates)	Section 35B BA84
	Stop notice		Section 35C BA84
Failure to comply with compliance and stop notice	Criminal offence	2 years imprisonment (upon indictment - crown)	Section 35B & C BA84
Removal of offending work	Time limit extended to 10 years	Notice to remove contravening work Chargeable work	Section 36 BA84

Page 67

Directors and managers can also be found liable for any of the criminal offences mentioned.

Compliance and stop notices can be served without the need to go to a magistrate's court in the first instance.

A breach of building regulations removes altogether the time limit for prosecutions under Section 35 of the Building Act, and will have an increased penalty, with a maximum penalty of an unlimited fine and up to two years in prison.

Compliance notices can be served against any breach of building regulations and require corrective action by a set date. Failure to comply will be a criminal offence.

Stop notices can be served against a breach of specified building regulations, such as a breach of a compliance notice and any breach of building regulations which is likely to cause 'serious harm'. A stop notice requires that all specified work is stopped until the contravention is rectified and failure to comply will be a criminal offence.



Further reading and information

- [PAS 8671-Framework for competence of individual Principal Designers – 2022](#)
- [PAS 8672-Framework for competence of individual Principal Contractors – 2022](#)
- The Three Gateways to Building Safety
- [Building Control: An overview of the new regime \(hse.gov.uk\)](#)
- [Building Safety Regulator charging scheme](#)
- [The Building Safety Bill: Impact Assessment](#)





The three gateways to building safety

The Health and Safety Executive (HSE) is setting up the new Building Safety Regulator (BSR) to make high-rise residential buildings (HRBs) in England safer.

- From October 2023 the Building Safety Regulator will be established as the Building Control Authority for high-rise buildings. It will assess applications for HRBs, giving permission for building to start where requirements have been met.
- The new regulatory regime for HRBs will put residents' safety first.
- These HRBs will be subject to a rigorous building control approval process: they will pass through three gateway points at the planning, building control approval and completion stages.

Gateways 2 and 3 will act as hold points, ensuring that safety is considered at each stage of the building control process.

HRBs defined as 'higher-risk' under the BSA, 2022 are buildings at least 18 metres or seven storeys in height, and which have at least two residential units, or are hospitals/care homes meeting the height.

The three gateways

- **Land use planning matters related to fire safety** (gateway 1)
- **Building control approval for higher-risk buildings** (gateway 2)
- **Completion certificates** (gateway 3)



Land use planning matters related to fire safety (gateway 1)

On 1 August 2021, HSE became a statutory consultee for planning applications for high-rise residential buildings, a service known as Planning Gateway One (PGO). The purpose of PGO is to ensure that fire safety considerations are inherent within the design proposals of relevant buildings before planning permission is granted.

This means that:

- local planning authorities (LPAs) must seek advice from HSE for relevant buildings
- a fire statement for full planning applications must be provided
- HSE will assess each application and provide advice to the LPA, in relation to fire safety matters as they relate to land use planning consideration

To support Planning Officers and Developers with this process, HSE has published guidance on the planning portal: **Planning and fire safety - Planning Portal.**



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The three gateways to building safety

Building control approval for higher-risk buildings (gateway 2)

This second gateway point is the building control approval application stage. It will occur prior to construction work beginning on an HRB.

It will see a rigorous inspection of building regulations come into full effect at each stage of the design and construction process.

- It is crucial that dialogue with the regulator is ongoing throughout the construction phase.
- Developers cannot proceed with construction until BSR has approved the application.

Gateway Two provides a 'hold point' where construction cannot begin until BSR is satisfied that the design meets the functional requirements of the building regulations.

This means that plans need to outline exactly how compliance with the functional requirements of the building regulations is going to be met - and that they do not rely on unrealistic management expectations.

- The regulator will be stepping in earlier in the design process and implementing a robust evaluation.
- The higher the quality of an application, the quicker BSR can make an assessment.
- A multi-disciplinary team (MDT) will be assigned to each submission, and this will include a Registered Building Inspector, and any other specialists required to assess a submission.
- Starting building work without approval from BSR will be an offence.

In your application you will need to:

- provide a comprehensive outline of the work that will be carried out; information about the building itself and the people involved in the building, such as the client, principal contractor and principal designer
- set out standard building information, such as the site location plan and boundaries, and a fire and emergency file
- provide a construction control plan (setting out how building work will be managed to maintain building regulations compliance), and a building regulations compliance statement (including reasons for the approach adopted)
- provide a change control plan to show how any proposed changes will be considered; and where relevant, a partial completion strategy



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Page 70



The three gateways to building safety

Completion certificates (gateway 3)

This third and final stage of the gateway process will introduce a 'hold point' at the completion of a project before occupation can occur.

This allows the safety of future occupants to be the highest priority, as construction comes to an end. This important part of the new regulatory framework will ensure that BSR has the required information to issue a completion certificate.

The planning for this stage starts at the beginning of the building control process, to ensure that a programme is in place to allow the collection of all necessary information, right from the start.

- This is the 'Golden Thread' of building information. It is essential that commissioning and certification is scheduled well in advance, so it coincides with the submission of the completion certificate application.

At this point, BSR will undertake statutory consultations as appropriate with the fire and rescue service and review the submitted information forming the application.

The completion certificate application involves the submitted information forming the application - signed by the client, principal designer, and principal contractor - confirming that to the best of their knowledge, the HRB, as built, complies with all applicable requirements of the building regulations.

- For the completion certificate to be approved, there must be sufficient evidence to support that what was built reflects the approved plans, and the requirements of the building regulations have been met.

Once BSR receives this information, the application will be processed as swiftly as possible, so as not to cause undue delay. This is why incorporating this stage of the process into your overall programme timeline is critical.

- Only once Gateway Three has been passed can the new building be registered with BSR. The building can only be occupied after registration is completed.

More detailed guidance on the Gateways process can be found at [Building Control: An overview of the new regime](#)



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Page 71

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