

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE HOUSING SCRUTINY SUB-COMMITTEE

HELD AT 6.35 PM ON WEDNESDAY, 12 JULY 2017

**701, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Andrew Wood
Councillor Dave Chesterton
Councillor Gulam Robbani
Councillor Helal Uddin
Councillor Rabina Khan
Councillor John Pierce

Co-opted Members Present:

Anne Ambrose	Tenant Representative
Moshin Hamim	Leaseholder Representative

Other Councillors Present:

Councillor Sirajul Islam	Statutory Deputy Mayor and Cabinet Member for Housing
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Others Present:

Tony Hughes	Chair of the Tower Hamlets Housing Forum Asset Management Sub-Group
Sandra Fawcett	Chair of Tower Hamlets Housing Forum
John Tunney	Director of Asset Management, Tower Hamlets Homes
Ann Otesanya	Director of Neighbourhoods, Tower Hamlets Homes

Officers Present:

Mark Baigent	Interim Head of Strategy Regeneration Strategy
Muhibul Hoque	Strategy, Policy and Performance Officer
Ahmed Choudhury	Senior Strategy, Policy and Performance Officer
Anthony Jackson	Committee Officer

1. APPOINTMENT OF CHAIR

The Clerk opened the meeting and asked for nominations for a Chair for the meeting. The Clerk explained that the Chair's appointment would last for the duration of the meeting and not for the remaining meetings in the 2017/18

municipal year. It was noted that the Overview and Scrutiny Committee would appoint a permanent Chair at its next meeting on 20 July 2017.

Councillor Chesterton moved that Councillor Helal Uddin be appointed Chair of the Housing Scrutiny Sub-Committee. The motion was seconded by Councillor Pierce.

There being no further nominations, it was resolved that Councillor Helal Uddin be appointed Chair of the Housing Scrutiny Sub-Committee.

2. APPOINTMENT OF VICE-CHAIR

The Chair asked for nominations for a Vice-Chair of the Housing Scrutiny Sub-Committee for this meeting and the remaining meetings in the 2017/18 municipal year.

Councillor Pierce moved that Councillor Dave Chesterton be appointed Vice-Chair of the Housing Scrutiny Sub-Committee. The motion was seconded by the Chair.

There being no further nominations, it was resolved that **Councillor Dave Chesterton** be appointed Vice-Chair of the Housing Scrutiny Sub-Committee.

3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Pierce declared a pecuniary interest as he sat on the board of Tower Hamlets Homes.

The Chair declared a pecuniary interest as his employer – The Bromley by Bow Centre – undertook partnership work with the registered provider – Poplar Harca.

4. MINUTES OF THE PREVIOUS MEETING(S)

The Chair referred members of the Sub-Committee to the minutes of the previous meeting held on the 20th April 2016. She asked members to approve these as an accurate record of the meeting.

The Members agreed the minutes to be an accurate record of the meeting subject to the following amendments:

- Councillor Rabina Khan apologies for absence being recorded; and
- A bullet point being added to Members' comments with regard to maintenance and caretaker costs on an hourly basis and the fact that anti-social behaviour may have had an effect on the number of repairs.

The point was made that actions detailed in the previous minutes were not logged. Councillor Pierce suggested that a log of actions is submitted for

each meeting with the minutes to enable accurate records to be kept on the status of whether actions were completed.

5. REPORTS FOR CONSIDERATION

6. HOUSING SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

Anthony Jackson, Committee Officer, introduced the report, explaining that the report set out the Terms of Reference, Quorum, Membership and Dates of meetings for the Housing Scrutiny Sub-Committee for the 2017/18 municipal year.

Members made the point that when the Housing Scrutiny Sub-Committee was first set-up; it was made clear that the purpose of the committee was to enable the public to actively engage in the scrutiny of housing in their borough. It was pointed out that not all sub-committee meetings should be held in the Town Hall as if meetings were held in other venues, it would provide further publicity and allow for access to meetings by the public. It was suggested that the Terms of Reference of the sub-committee be extended to allow the sub-committee to receive petitions. Members stated that it was important that there was clarity on how the public can engage with the work of the sub-committee.

ACTION: Members asked that officers consider the above points and report back to a future meeting with recommendations.

Sandra Fawcett, Chair of Tower Hamlets Homes, explained that there was a set procedure and that petitions would have to go to the appropriate Registered Provider first.

Members also pointed out that the Housing Scrutiny Sub-Committee, scheduled for 29 January 2018, clashed with a Labour Group meeting.

RESOLVED:

That the Housing Scrutiny Sub-Committee notes its Terms of Reference, Quorum, Membership and Dates of Future Meetings as set out in Appendices 1, 2 and 3 to the report.

7. HOUSING SCRUTINY SUB-COMMITTEE - HOW IT WILL WORK

Ahmed Choudhury, Senior Strategy, Policy and Performance Officer, provided a presentation on how the Housing Scrutiny Sub-Committee will work. In doing so, he first focussed on the rationale for the sub-committee and said that housing was:

- now subject to greater public transparency and scrutiny
- a high profile amongst Members
- a priority for local residents
- a key determinant of quality of life
- subject to rapid changes (local, regional and national)
- a top priority for the Government in terms of affordable housing and the Mayor of London's Housing Strategy 2016-21.

Mr Choudhury then explained how the sub-committee would work and its responsibilities. He focussed on the following points:

- the sub-committee would consider practical improvements
- Mayor and Cabinet would be fully engaged in the work of the sub-committee
- the need for an in-depth review or challenge session
- pre-decision scrutiny of Cabinet papers
- to listen, observe and learn
- to provide challenge, spotlight and evidence
- that the sub-committee will be solution focussed
- the sub-committee would recommend improvements, develop policy, manage performance, service visits and meet with officers.

Mr Choudhury explained that the purpose of the sub-committee would be to provide scrutiny and to identify best practice, with the intention of:

- making an impact
- finding solutions to local housing challenges
- driving up standards
- highlighting improvements
- independent reviewing and challenging
- recognising good practice
- partnership working

Members referred to the presentation, specifically "finding solutions to local housing challenges" and asked what the challenges were exactly. Mr Choudhury in response outlined issues such as under occupation, and overcrowding as some of the challenges and referred to item 8 of the agenda – which would provide a detailed presentation on the key housing challenges in Tower Hamlets.

Members pointed out that an achievement that the sub-committee should strive for was better communication. They said that there were good reviews undertaken over the last few years and that there was a structure in place to ensure that work was implemented. Members suggested that it would be helpful to have a stakeholder plan in place. They pointed out that the sub-committee should want to change behaviours and it was important to consider how to engage with the public.

Members also noted that the design guide was now complete and asked that its progress be reported to a future meeting, so that the impact on affordable housing could be examined.

8. HOUSING IN TOWER HAMLETS - UNDERSTANDING THE KEY CHALLENGES

Mark Baigent, Interim Head of Strategy Regeneration Sustainability and Housing Options, gave a presentation which provided Members with an update on the 2016/21 Housing Strategy, the challenges faced and how the Council were responding. [*Slides circulated*]

Mr Baigent then took questions from Members on the following:

Members asked what communication had been undertaken to inform residents of the contents of the Housing Strategy. On the subject of passing of tenancies after the death of a family member they pointed out that, in some cases, there could be a grandparent, parent and children in one house and it was unclear what would happen to the other residents if the main tenant died. The Chair pointed out that new legislation referred to new tenancies and not existing ones. Mr Baigent stated that the regulations had not yet been released. He confirmed that the new regulations would be subject to consultation and that would be the time to ask such questions. Councillor Islam highlighted the impact of the Landlords and Tenants Act. He said there had been communication and succession planning and that there were cases where the relevant Housing Manager had made arrangements for a resident whose mother, the main tenant, had passed away to ensure they did not lose their home.

Members also stated that there was a lack of understanding of what exactly constitutes a House of Multiple Occupation (HMO). They impressed that the rules around HMO were made clearer and communicated properly. Mr Baigent responded by referring to a HMO licensing scheme which had been introduced. He added that they were looking into the prospect of additional licensing. He confirmed that officers were taking the issue very seriously as much of the homelessness in the borough was as a result of private landlord evictions. Councillor Islam referred to the fact that a digital licensing scheme was currently being consulted on.

Members then asked whether there was a budget for the better care fund. Mr Baigent confirmed that he would send a written response to the Member.

Members also suggested that domestic violence in hostels was an important subject and should have been listed as one of the key challenges. Mr Baigent confirmed that it would be in the Strategy.

Members stated that affordable housing was a significant issue and that there was a real risk that many individuals could not pay their rent in homes that were considered to be affordable. Members referred to the challenge for

young people in relation to housing and suggested that officers scrutinise the issue.

Members referred to the issue of benefit caps and asked whether there were any incentives to give those subject to the caps support. Mr Baigent confirmed that the Mayor had set aside budgets to address the issue and that officers were currently looking on how to apply those budgets. He confirmed that the Council were in the process of ascertaining those affected by the benefit caps and stated that Housing Associations needed to consider whether their tenants could afford to pay their rent.

Members asked for clarification on what “Local Housing Companies” were. Mr Baigent explained that it was proposed to create two new organisations:

- Seahorse Homes Ltd – this company would have no ownership of property. Mr Baigent stated that options for this company were currently being explored, however said that the proposed company would need to meet the requirements of new legislation. He confirmed that legal advice was currently being sought.
- Mulberry Housing Society – Mr Baigent stated that this company did not yet exist. He confirmed that it would be a charity organisation and that they had recruited those that would sit on the Board. He confirmed that the Council would be funding the organisation and that all of its housing would be “affordable”.

Mr Baigent confirmed that he would circulate a presentation on the set up of two abovementioned companies, which had previously been delivered to the Overview and Scrutiny Committee, to all Members of the Sub-Committee.

9. FIRE SAFETY IN HIGH RISES

Mr Baigent provided a presentation on housing fire safety issues within Tower Hamlets Council [*slides circulated*]. In doing so, he focussed on the following points:

Fire Risk Assessments

Mr Baigent confirmed that the person responsible for the building was responsible for assessing the “common parts” in terms of fire safety. He said that the “common parts” did not include the outside of the building e.g. cladding. Mr Baigent pointed out that Council’s did not have the power to force fire risk assessments and confirmed that the London Fire Brigade could identify an issue and could consequently enforce.

Building Regulations

In relation to building regulations, Mr Baigent confirmed that local authorities did have the power to force adherence and stated that any refurbishment to buildings needed to comply with them. He explained that the Council

received reports from private companies and approved inspectors, who undertake fire risk assessments, but had no powers to enforce.

Environmental Health

Mr Baigent explained that the Council's Environmental Officers could approach private landlords in instances where they were not managing fire safety issues properly.

Cladding Material

Mr Baigent confirmed that there was huge interest in cladding materials and stated that it was still unknown as to what had caused the fire at Grenfell Tower to spread as it did.

Post-Grenfell DCLG-led testing programme

He confirmed that DCLG had introduced a cladding testing regime. He confirmed there were many unanswered questions, such as "were there tests of these materials prior to Grenfell or had the testing only started after the Grenfell Tower fire?" Mr Baigent also stated that, of the small samples of cladding materials tested, all had failed fire safety tests. He stated that there were a number of buildings in the London Borough of Tower Hamlets that had been tested and officers expected the materials to fail also. Mr Baigent also explained that DCLG had stated that they were intending to start testing materials for fire safety in a different way, however he stated that it was unknown how that testing would work or whether they would invalidate previous tests.

Council Housing/Social Housing/Private Housing

Mr Baigent pointed out that in the private sector there was very little information about fire safety and the Council had no powers in relation to private sector housing providers.

Sandra Fawcett, Chair of Tower Hamlets Housing Forum, together with Tony Hughes, Chair of the Asset Management Sub-Group provided a presentation on fire safety in tall buildings [*slides circulated*].

John Tunney, Director of Asset Management at Tower Hamlets Homes, together with Ann Otesanya, Director of Neighbourhoods at Tower Hamlets Homes, then provided a presentation on Fire Safety in Council Homes, which focussed on the following points:

What Tower Hamlets Homes (THH) was doing in response to Grenfell

- THH written to all residents to let them know what was being done by THH. Special letters were written to residents of high rises.
- Confirmed no Council Owned blocks were clad in Grenfell material.
- Increased weekend caretaking to ensure any dumped combustible material was disposed of.
- Increased operating hours of concierges.
- Working with Mayor and Tower Hamlets Council officers on key issues.

- Mayor had made a commitment to make fire risk assessments available to residents.
- THH surveyors carried out additional fire safety visits to all high rise blocks.
- Providing information and reassurance at resident meetings.

What THH were already doing

- More comprehensive fire risk assessments
- Identified 9 'substantial risk' blocks
- Work being completed on site for one block (Brodick).
- Proposals agreed with the Council about 6 tower blocks with spiral stairs (Cranbook Estate).
- Agreed proposals for 2 blocks requiring fire stopping works in corridor ceilings (Brewster and Malting's on Barley Mow Estate).
- In response to 2016 Shepherd's Bush tower block fire – reviewed cladding on all LBTH owned blocks in spring.
- All decent homes blocks with cladding; fireproof mineral fibre material was used.
- No Aluminium Composite Material (ACM) as used at Grenfell in LBTH owned blocks.
- Regular visits to all blocks and removal of dumped materials as part of caretaker's duties.
- 34 new bin cages outside of blocks being taken forward this year.
- Obstructions procedure was updated in May 2017 following discussion with residents groups.
- Action taken to remove door grilles and other items on communal walkways.

Dickinson House Fire – 24 June

- Domestic fire on top floor of Avebury estate 4 storey block.
- No one was hurt, fire got into roof space, block mineral fibre cladding totally resisted the fire.
- 12 households being rehoused temporarily rehoused within the stock
- Joint inspection of roof spaces with LFB.
- Programme of improved fire breaks.

What is needed from Government

- A measured response that matches rhetoric with resources.
- Clarification of the stay put vs evacuation policy.
- Clarity on the introduction of sprinklers (and funding – costs are c.£650K per tower block).
- New regulation of leaseholders needed – especially to require them to have fire rated flat front doors and smoke alarms fitted.
- Can anything be done to help hoarders, or to help landlords manage hoarders?

Next Steps

- There was a lot of activity nationally. THH will work with the Council to take action as issues are identified and as regulations and advice change.
- Complete the fire risk assessment actions on all of the 'Substantial Risk' blocks.
- Put the lower risk works into programmes starting as soon as possible. This is a large piece of work, not an overnight fix.

Members expressed concerns that approved inspectors had no obligation to respond to local authorities. They also raised concerns in relation to the safety of properties listed under the section 106 agreement. Mr Baigent stated that he shared Members concerns and pointed out that officers were doing what they could with the limited powers that Council's had. Ms Fawcett suggested taking concerns to the London Fire Brigade and encouraging Registered Providers to take enforcement action.

Members asked whether Registered Providers were pursuing private developers to ensure fire safety matters addressed where they had residents in occupation in their blocks. Sandra Fawcett outlined that RPs were doing their utmost to engage developers to find out what action was being taken and to request copies of fire risk assessments.

Members then gave the view that fire safety needed to be a priority for this committee. They referred to a fridge-freezer that caught fire and was subject to a product recall and asked how residents were being informed that the product had been recalled. Mrs Otesanya confirmed that the issue of product recalls was being included in communications with residents.. Councillor Islam confirmed that the Council's disaster preparedness and emergency plans was on the agenda to be scrutinised by this committee. He agreed that it was important to keep residents informed and educate them in regards to fire safety.

Members also pointed out that some buildings had had recent refurbishments and that it was paramount that the works undertaken complied with fire safety legislation and building regulations. Members stated that many landlords had not undertaken mandatory risk assessments and pointed out that residents needed to know who to trust. Councillor Islam suggested that the Chair of Tower Hamlets Homes contacts Registered Providers to see if they might make the risk assessments available. He added that Councillors had a community leadership role in terms of health and safety of residents.

Members stated that partnership working on this issue was paramount and impressed the importance of having a plan in place to deal with potential issues and communicating that plan to the public.

The Chair of the Committee proposed that fire safety was a standing item on future Housing Scrutiny Sub-Committee agendas.

10. DEVELOPING THE HOUSING SCRUTINY SUB-COMMITTEE WORK PROGRAMME

A draft work programme for the Housing Scrutiny Sub-Committee for the 2017/18 municipal year was tabled at the meeting.

Mr Choudhury asked for Members comments and suggestions on the work programme. He stated that their views would be incorporated and then the amended work programme would be circulated to Members for final comments.

Members referred to the two reviews proposed on the work programme and made the point that meetings with reviews on the agenda could meet more frequently and could last as long as necessary. They stated that it was important to be able to delve into a subject comprehensively with no time constraints.

Members also suggested that the 'Housing White Paper' be removed from the work programme and that the 'London Plan' be substituted in its place.

Members also suggested visiting other Councils' to potentially obtain examples of best practice.

11. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

There was no other business discussed.

The meeting ended at 8.52pm

**Chair, Councillor Helal Uddin
Housing Scrutiny Sub-Committee**