

<p>Non-Executive Report of the: Council</p> <p>20 November 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Stephen Halsey, Chief Executive</p>	<p>Classification: Unrestricted</p>
<p>Grenfell Tower Inquiry Phase 2 Report – Tower Hamlets Response</p>	

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Wards Affected	All Wards

Executive Summary

This report gives a draft response plan addressing the recommendations from the Grenfell Inquiry Phase 2 report, emphasising critical actions needed to enhance fire safety and emergency preparedness in Tower Hamlets. In light of the borough's significant high-rise housing stock and diverse population, the council is asked to acknowledge the inquiry's findings and implications and support the proposed actions, including developing a joint position statement with key partners. These measures aim to integrate key lessons from the Grenfell tragedy into local policies, ensuring regulatory compliance, effective risk management, and inclusive communication with vulnerable communities.

By ensuring appropriate oversight of the recommendations, the council can align with national building safety standards, enhance community resilience, and foster partnerships that prioritise the well-being and safety of our residents, ultimately working to prevent future tragedies such as Grenfell in Tower Hamlets.

Although it is the responsibility of the Executive for housing matters, this report is being presented at full council due to the need for all councillors to be reassured of the Council's leadership and visibility of the recommendations and the council's draft response to individual elements of the Phase Two report of this considerable national issue. Furthermore, all councillors in the event of an emergency will have a civic leadership role and the recommendations and draft response in this report are important for their knowledge and role in an emergency planning situation. In addition, there are likely to be financial implications from the recommendations which councillors will need to be mindful of in future budget setting process, but it is important to highlight this implication in advance of budget setting processes.

This matter is of borough-wide significance and all relevant partners will be asked to contribute to the borough response which will be reported in March 2025. This includes offering Overview and Scrutiny Committee an opportunity to consider this report in pre-decision scrutiny before it is presented to Cabinet and subsequently reported to Council.

Recommendations:

The council is recommended to:

1. Note the findings and recommendations of the Grenfell Inquiry Phase 2 report, and the relevant actions and activity currently being undertaken (Appendix 1, draft response plan).
2. Note the development of a partnership position statement which sets out the strategic commitment to implementing the recommendations from the Phase 2 report. This will be prepared with partners and reported to Cabinet by March 2025 and subject to consideration by Overview and Scrutiny Committee and a cross-party Member workshop.

1 REASONS FOR THE DECISIONS

- 1.1 A response plan to the Grenfell Inquiry recommendations is a proactive step to safeguard residents by integrating key lessons from the tragedy into local policies. Given the borough's significant high-rise housing stock and diverse population, the plan will address fire safety, regulatory compliance and risk management, while ensuring inclusive communication with vulnerable communities.
- 1.2 By prioritising public safety and working in partnership with relevant stakeholders, the council aims to get public confidence, prevent future tragedies, and enhance emergency preparedness, aligning with national standards for building safety and tenant well-being.

2 ALTERNATIVE OPTIONS

Without a response plan to the Grenfell Inquiry recommendations, Tower Hamlets council risks increased public safety hazards, particularly given its high-rise housing stock and diverse population. This could lead to regulatory non-compliance, eroded trust among residents especially vulnerable communities, ineffective risk management, poor communication, and inadequate emergency preparedness.

Conversely, by developing and implementing such a plan, the council can enhance safety, ensure compliance with national standards, build community confidence, improve risk management, foster inclusive communication, and be better prepared for emergencies, ultimately creating a safer environment for all residents.

3 DETAILS OF THE REPORT

Background

- 3.1 The Grenfell Tower Inquiry was established following the Grenfell tragedy in June 2017 in which seventy-two people died. The tragedy posed many questions including a) regulatory controls in construction; b) the condition, maintenance and management of social housing; c) the response and protocols of emergency services, and d) safety in tall buildings.

- The phase 1 report, published in October 2019, focused primarily on events on the evening of the fire.
- The phase 2 report, published in September 2024, looked at the causes of the fire and the immediate and longer-term response by the agencies involved in supporting those impacted.
- The phase 2 report makes recommendations for Government, fire services, house builders, housing providers, local authorities and professional bodies.

Recommendations made by the Phase 2 report

3.2 Overall, fifty-eight recommendations were made by the report. However, not all were directed at social landlords. The main areas for which the report has made recommendations include:

- New regulator proposed for the construction industry – “Chief Construction Advisor.”
- Higher risk buildings to be redefined, and vulnerability to be considered.
- Fire Safety to be under one government department.
- Refurbishment must include a Fire Safety strategy by a registered fire engineer.
- The profession of Fire Engineer is protected and recognised by law and is properly professionally recognised.
- Fire Risk Assessors are nationally accredited.
- Review into where Building Control sits – consideration of whether it remains at a local level or exercised nationally?
- Social Housing landlords: no new legislation but recommended to give careful consideration to the Report. A number of new regulatory provisions have already been put in place, through the Social Housing (Regulation) Act (2023) which became effective from 1 April 2024.
- National standards for local resilience forums.
- Councils train their staff with regard to resilience and test the plan.
- Resilience plans to have immediate access to financial support and availability of key workers.
- Proper communications plans for those affected and the wider public.
- Systems in place to manage needs and vulnerabilities of those affected.

Recommendations made directly to local authorities

3.3 The recommendations aimed directly and specifically at local authorities Include:

- Resilience training
- Data Collection on displaced residents
- Temporary accommodation
- Humanitarian Assistance
- Communication with those impacted
- Wider communication with residents

3.4 There are further recommendations which are not aimed at local authorities specifically, but which have significant consequences for local authority services and responsibilities – in particular in relation to building control and fire safety.

3.5 A summary of the findings and recommendations is attached at Appendix 1. This includes responses from representative bodies of the key sectors impacted.

Government response to the report

- 3.6 Alongside the published documents of the report the Government website currently states that “The Government will carefully consider its recommendations, to ensure that such a tragedy can never occur again.” A more detailed response is anticipated in the future.

Letter from the Secretary of State

- 3.7 On 30 September 2024, the Secretary of State for Housing, Communities and Local Government Angela Raynor wrote to London Councils, calling for an acceleration in the remediation of unsafe cladding. In the letter, she acknowledged that of the buildings her department is monitoring that are yet to start remediation, over 60% are in London. She called on London Councils to convene regular meetings of council leaders on building safety and potentially set up a working group in the most affected boroughs. There was also a reference to the need for certainty of long-term funding settlements for councils. The government introduced £1.67bn of funding in the recent budget announcement to accelerate remediation. Tower Hamlets Council is a key partner of the London wide group on acceleration of remediation.

Summary of actions taken by Tower Hamlets to date

- **Measures taken by Building Control include:** Ensuring Fire Risk Assessors procured by the council must be accredited and providing enhanced fire safety awareness training to BC officers. Training to ensure that officers are fully conversant with changes in statutory guidance and approved document B. Lobbying government for more resources to address the new requirements.
 - **Measures taken by Housing Management include:** Commencing reassessment of ‘higher risk’ buildings as soon as possible. Investigating how to address issues such as fire control switches in lifts and pipeline isolation valves.
 - **Measures taken by the Civil Protection Unit include:** Enhancing relationships with the VCS. Delivered strategic emergency management training to corporate directors and directors. Developed an electronic registration form for recording displaced residents. External communications team have produced and maintain a Crisis Communications Plan.
- 3.8 The response plan including actions is included as Appendix 1. As the response plan clearly indicates, there are potentially significant resource implications including through the necessity for additional personal emergency evacuation plans, additional certification, additional training and additional contingency support.

LBTH current activity on fire safety

- 3.9 Actions taken by the council to address fire safety include:
- Contacting the owners of tall buildings and establishing whether they may have dangerous cladding. Signposting to available provision including funding.
 - Improving fire safety in council’s housing stock.
 - Lobbying for more resources from government.

- 3.10 In 2017/18, the Housing & Regeneration Scrutiny Sub-Committee conducted a fire safety scrutiny review of high-rise buildings in Tower Hamlets. Identifying some of the actions listed in 3.8, the review aimed to improve fire safety policies, practices, and compliance in both existing and new residential developments. The focus areas included roles and responsibilities, fire prevention, emergency responses, and resident engagement, specifically for buildings over eighteen meters high. The review was conducted amidst several national fire safety inquiries. In April 2021, the sub-committee noted closure of all the actions as complete.

Learning from and response to incidents within Tower Hamlets

- 3.11 While thankfully nothing close to the scale of Grenfell has taken place in the borough, there have been some serious incidents from which there is learning that needs to be considered in terms of the response of the local authority and other agencies.

Providence Wharf

- 3.12 The Providence Wharf fire, on 7 May 2021, occurred in a high-rise near Canary Wharf, spreading across multiple floors due to flammable cladding. Over one hundred firefighters responded, and while there were no fatalities, two people were treated for smoke inhalation. The incident raised serious concerns about fire safety in modern buildings, reigniting fears about unsafe cladding post-Grenfell. This prompted renewed scrutiny in Tower Hamlets and across the UK.
- 3.13 In response, the council's Housing & Regeneration Scrutiny Sub-Committee undertook a second 'deep dive' review into high-rise buildings, focusing on improving fire safety policies, building management, and resident engagement while aligning with national reviews. By November 2023, the committee noted that all actions were either completed, integrated into business-as-usual practices, or faced resource and legal constraints. This included discussions with the London Fire Brigade (LFB) about using Community Infrastructure Levy (CIL) funding for fire equipment, such as a 64-meter ariel appliance (extendable ladders), which was not pursued due to practical issues, though the Borough Commander remains interested in exploring it further.

Maddocks House

- 3.14 The Maddocks House fire occurred on 5 March 2023, the fire broke out in an ex-local authority flat. It claimed the life of Mizanur Rahman, who was among up to eighteen people living in an overcrowded three-room flat. The fire was caused by a faulty lithium-ion battery from an e-bike that was charging at the time. This led to the council renewing and extending its HMO licensing scheme to additional areas across the borough, and the launch of the #ChargeSafe campaign through collaboration with the LFB to raise awareness about e-bike and e-scooter battery dangers.
- 3.15 One key lesson from this incident is the urgent need for additional housing management resources to better regulate leaseholders, who make up half of the residents in the 22,000 council-managed homes. This is crucial for ensuring tenant safety which we are obliged to ensure through regulation. Approximately 50% of leasehold properties are sublet on the private rental market. The council has licensing schemes for Housing in Multiple Occupation (HMOs). In the case of Maddocks House, the leaseholder had an HMO license for 3 occupants but was being let to many more leading to severe overcrowding.

Bentworth Court

- 3.16 The Bentworth Court fire, which occurred on 4 August 2022 [Edited], was triggered by a suspected gas explosion. The incident led to fifteen fire engines and around one hundred firefighters dispatched to the scene. Multiple residents were rescued, and four individuals were hospitalised due to smoke inhalation.
- 3.17 A key takeaway from this incident is the lack of access to cash or reloadable cards for residents to buy essentials, which led staff to use their own money and seek reimbursement. To address this, we are putting in place better mechanisms for managing these situations. Additionally, the types of support from the council's civil protection unit are not fully understood, and the housing management team and the civil protection unit are working to clarify this. The on-call arrangements within housing management were reviewed to ensure sustainability and resilience.

Learning from the Royal Borough of Kensington and Chelsea

- 3.18 The Royal Borough of Kensington and Chelsea issued its own detailed response to the Phase 2 inquiry report in which it acknowledged failings and accepted the recommendations. It focussed upon:
- Tenant Management Organisation and the relationship with the council
 - The management of fire safety at Grenfell Tower
 - Refurbishment of the tower
 - The council's building control department
 - The aftermath of the fire
- 3.19 Some specific findings included:
- The Tenant Management Organisation (TMO) was poorly managed and had experienced a breakdown in its relationship with tenants and leaseholders. The council failed to effectively oversee and monitor the TMO.
 - A lack of competent scrutiny by those in building control in relation to the refurbishment of the tower.
 - A building control function that was too focussed on working with constructors and not sufficiently focussed on enforcing building regulations.
 - Poor emergency planning including poor leadership, a lack of appropriately trained staff and a poor relationship with the TMO that left residents feeling abandoned.
 - Too much focus on reputation and too little use made of local voluntary organisations in the aftermath of the tragedy.
- 3.20 Dan Hawthorn, Executive Director of Housing at RBKC has been invited to speak with senior and other managers at the council about the culture and power imbalances that developed between landlords and residents prior to the fire. This will include their ongoing efforts to shift the culture and address these power imbalances, providing valuable insights for our own practices. It will allow the council to examine the tenant-landlord relationship within our directly managed stock and inform the management of the Tenant Management Organisations (TMOs) we still oversee.

LBTH Health and Safety

- 3.21 The council is initiating an immediate review of our Fire Risk Assessment (FRA) process. Led by Corporate Health and Safety, this review will involve testing a 10% sample of the council's housing stock. The review will assess the competence of FRA assessors and evaluate the number of actions identified and those still outstanding. A report on the findings will be presented to the Corporate Management Team (CMT) in January 2025.

Scenario Planning and Exercise

- 3.22 The response plan includes a scenario planning and exercise component aimed at assessing the effectiveness of our current systems, specifically focusing on the council's emergency response and housing management response. This involves testing various scenarios related to the placement of individuals in suitable temporary accommodation, understanding the role of the voluntary sector, and testing understanding and collaborating with Tenant Management Organisations (TMOs), and seeking support from civil contingency resources. This internal scenario testing will help identify strengths and areas for improvement in our response mechanisms, ensuring that we are well-prepared to address potential challenges effectively.

LBTH Tenant and Leaseholder Engagement Strategy

- 3.23 Following the insourcing of housing management services from the former ALMO Tower Hamlets Homes on November 1, 2023, which now includes repairs, maintenance, caretaking, and rent collection, the council aims to improve service delivery, enhance fire and building safety, and ensure residents have a stronger voice. Supporting this, is a new Council Tenant and Leaseholder Engagement Strategy which is due to be approved by Cabinet in November 2024. The strategy is designed to foster transparent communication and build on previous engagement successes aligning also with new consumer standards as set out in the Social Housing (Regulation) Act (2023).

Partnership Working

- 3.24 The response plan will aim to foster collaboration among stakeholders to effectively implement the Grenfell Inquiry recommendations by identifying key groups - thereby ensuring inclusive participation. It will aim to enhance communication and emphasise capacity building through training programmes, resource guides, policies, protocols and collaboration frameworks with defined roles and responsibilities. Once developed, it will need resources from the Housing & Regeneration Strategy, Policy and Improvement Team, supported where required by the CEO Strategy and Improvement Team, to incorporate monitoring and evaluation mechanisms. Regular reporting to CMT will also ensure accountability and transparency in progress.
- 3.25 The council will continue to engage in council leaders' group(s) and work closely with the Greater London Authority and others on London's remediation acceleration plan.
- 3.26 By engaging both the Borough Resilience Forum (BRS, made up of Category One and Two organisations including emergency services, Environment Agency, transport providers, local NHS trusts, voluntary sector, business academics and housing providers) and the Tower Hamlets Housing Forum (THHF – our partnership with 14 Registered Providers who form the Common Housing Register Partnership in the borough) we will seek to address the interconnected issues of emergency response,

housing management, and quality comprehensively. We will convene meetings with these forums to seek their contributions and insights for the draft response plan.

- 3.27 Additionally, the council will participate in the regional sub-resilience forum to enhance coordination, collaboration, and shared learning. There is a call for action in the report to strengthen the current governance arrangement of the BRF (chaired by the Civil Protection & Business Continuity Manager) with LBTH's governance arrangements.
- 3.28 Officers propose that a position statement is developed jointly by the council, the London Fire Brigade, THHF, the BRS Forum, and other key stakeholders. This statement will outline our strategic commitment to implementing the recommendations from the phase 2 report and learning from the shortcomings observed at RBKC.

4 EQUALITIES IMPLICATIONS

- 4.1 The Phase 2 report itself identifies equalities implications in relation to the response to tragedy, including the impact on diverse communities and the need for culturally appropriate support. Further equalities implications are being identified as part of Tower Hamlets' response to the report. This includes addressing the needs of vulnerable groups, including low-income families, the elderly, disabled individuals, and our diverse communities.
- 4.2 It will aim to incorporate inclusive consultation processes, ensure accessible safety information, and provide cultural competence training for staff. The plan will provide focus on mitigating housing safety inequalities, ensuring equitable resource allocation, promoting community empowerment, and establishing mechanisms for monitoring equality outcomes, all while committing to long-term integration of equality considerations into council policies and practices related to fire safety and emergency preparedness.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 There are many regulatory implications of the phase 2 report which are being identified as part of Tower Hamlets' response to the report. These include ensuring compliance with relevant legislation, including the Housing Acts (1985) and (2004) respectively, the Regulatory Reform (Fire Safety Order) (2005), and the Building Safety Act (2022), fulfilling the council's statutory duty to ensure resident safety and well-being. Addressing the Public Sector Equality Duty under the Equality Act (2010) by considering the needs of vulnerable groups, align with safeguarding obligations, and include comprehensive risk assessments. This will also include stakeholder consultation processes, ensuring accountability and reporting mechanisms, and aligning with statutory funding opportunities. Additionally, cooperation with safety inspectors to meet health and safety regulations, ensuring that all measures protect both residents and council staff.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This is a noting report outlining the findings and recommendations of the Grenfell Inquiry Phase 2 report, and the relevant actions and activity currently being undertaken and the development of a partnership position statement which sets out the strategic commitment to implementing the recommendations.

- 6.2 Although there are no financial implications directly emanating from this report, there will be both revenue and capital costs associated with implementing the findings of and recommendations of the Grenfell Inquiry Phase 2 and these will be contained within the HRA. As a result, a £2.4m reserve has been set up for a team to undertake building surveys and a number of revenue growth bids to meet the requirements of the building and fire safety acts.
- 6.3 It is proposed that any capital costs resulting from the building and fire safety surveys will be contained within the existing HRA major works capital programme for existing stock. A further £10m has been set aside in the HRA Business Plan for emergency works that cannot be programmed within existing capital resources, to reduce the financial risk to the Council.

7 COMMENTS OF LEGAL SERVICES

- 7.1 This report sets out the findings and recommendations of the Grenfell Inquiry Phase 2 report, and the relevant actions and activity currently being undertaken in the response plan and with respect to the partnership position statement.
- 7.2 The Building Safety Act came into force in 2022 following the Grenfell tragedy to overhaul the existing building regulatory framework. The Social Housing Regulation Act (2023) introduced new consumer standards and increased the powers of the Regulator of Social Housing. The consumer standards which apply to social housing providers require that providers meet all applicable statutory requirements for the health and safety of occupants in their homes. The Building Safety Act 2022 has overhauled existing regulations, making clear how residential buildings should be constructed, maintained and made safe for residents.
- 7.3 The Council's response plan is intended to safeguard residents by addressing fire safety, regulatory compliance and risk management.
- 7.4 Section 149 of the Equality Act 2010 requires the authority, in the exercise of its functions, to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act, to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and to foster good relations between those who share a relevant protected characteristic and those who do not (the public sector equality duty (PSED)).

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Grenfell Inquiry Phase 2 Report – LBTH draft response plan – to follow

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- NONE

Officer contact details for documents:

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