

## 8. DEPUTATIONS/PETITIONS/QUESTIONS

A deputation had been received from the Broadwater Farm Resident's Association, in relation to item 9 of the Agenda – Broadwater Farm.

Mr Jacob Secker, Secretary for the Broadwater Farm Resident's Association, was invited by the Leader to put forward his deputation to Cabinet.

Mr Secker was speaking as the representative of the Association, and Tangmere block resident with right of return, and introduced fellow deputation party members, Archbishop Frimpong who was a previous tenant at Tangmere with right of return, and Alan Goodall who was a resident at Northolt block.

Mr Secker began his representation by reiterating that the Association was demanding a ballot under Greater London Authority (GLA) rules for Tangmere and Northolt residents. He contended that this ballot should be on the question of whether the estate blocks should be strengthened or demolished and rebuilt. The Association felt that without the ballot, there could be no guarantee that the Council would abide by its commitment to re-provide the same number of Council homes at Council rent.

Mr Secker had observed in the consultation forms, a clearly stated commitment to residents of an equal number of Council homes at Council rent with more family sized accommodation for Northolt Block. However, Mr Secker argued this commitment for provision of an equal number of homes was not included in the report presented to Cabinet. The report advised at paragraph 6.61 that 'any' Council homes demolished would be re-provided, and the deputation felt that the term 'any' could be open to interpretation and called for the report be amended. There was a need make clear that the number of homes demolished would be equally re-provided otherwise this would make the consultation null and void.

With regard to Northolt, Mr Secker claimed that residents had been informed, in the consultation documentation, that when they were moved into a new home, if they did not like it then they would be allowed to request a move to another home. This commitment was also not included in the report and Mr Secker argued that if this commitment was also not adhered to, then the consultation would be deemed invalid.

Mr Secker continued to reiterate the importance of the ballot as the deputation party felt without this process there was no guarantee for residents that promises about re-provision of homes at Council rents would not be kept to.

Mr Secker conceded that, in the context of tower block safety across London, the safety issues with the blocks at Broadwater Farm was a relatively serious safety issue. He re-iterated that GLA rules stipulated that where there were reasonable alternative solutions to demolition, then there had to be a ballot. Mr Secker noted the Council's own surveyors stated the blocks could be strengthened, demonstrating there was a reasonable alternative to demolition, in his view, cheaper than the demolition, therefore, meeting the requirements of a ballot.

Mr Secker concluded his deputation by asserting that the reason the Council were not balloting residents was because there was not the intention to stick to its promises made during consultation with residents.

Following the deputation, the Leader invited Cabinet Members to ask questions.

Cllr Adje thanked the deputation and disputed their view that the report was not clear on equal numbers of re- provided Council homes. He referred to the report which stated at paragraph 6.61 – ‘*The Council was committed to replacing any Council homes which were demolished with new Council homes on the estate*’. Mr Secker reiterated that the use of the word ‘*any*’ was ambiguous and could mean any number of homes instead of the equal number of Council homes to those that were demolished.

The Cabinet Member for Housing and Estate Renewal responded to the deputation and stressed that the fundamental concern of the Council was for the safety of the residents at Tangmere and Northolt and they had always been the priority. The Cabinet Member made the following points:

- Disputed Mr Secker’s claim that the safety concerns were ‘relative’ and advised they were serious, especially in the aftermath of Grenfell. It was not appropriate to discuss level of concern that should be attributed to the safety of the blocks but accept the seriousness and duty to safeguard tenants and leaseholders in the two blocks.
- There were current mitigations in place to ensure the tenants were safe at Tangmere and Northolt but these were not long term sustainable solutions and the Council therefore needed to make a decision about how to resolve the serious structural issues at the two blocks. Other blocks on Broadwater Farm had been assessed and were being strengthened but this was not considered a reasonable option for Tangmere or Northolt.
- In June 2018, Cabinet considered the options available to it, decided that rebuilding the blocks would be the most suitable option, and consulted tenants with this preferred option put forward. There had been a significant response from residents, with 90% of those replying from Tangmere agreeing with the proposal and 80% of those replying from Northolt agreeing with the proposal.
- The report before Cabinet at this meeting recommended agreeing to demolish the Tangmere and Northolt blocks.
- An earlier Cabinet report made clear the Council’s guarantee to rebuild the same number of social rent tenancies following the demolition of the two blocks.

- The wording of the report would be changed so that ‘any’ at paragraph 6.61 became ‘all’ so that there was no doubt that all homes demolished, as part of this decision, would be replaced with the same number of Council rented tenancies, on the same terms. Every resident is guaranteed his or her right of return to the estate **when** the blocks were rebuilt.
- In terms of the funding, the Council had provisionally allocated part of the GLA Building Council Homes for Londoners funding allocation from the Mayor to rebuild the blocks. Due to the safety issues of the block, there was an urgent need to rehouse residents of Tangmere before the Cadent deadline. To complete a compliant ballot would have taken time, which was not available given the safety issue concerns. The Council were in discussion with the GLA for the application of an exemption and continue to work with them.
- Irrespective of any exemption granted by the GLA, and based on Council policy, there was always a commitment to holding a ballot as part of the engagement undertaken on the next phase of work, which would be developing proposals for the new homes on the estate. This ballot would be of residents across the whole Broadwater Farm estate, including those former tenants of Tangmere and Northolt who have relocated as a result of the issues discovered.

The Cabinet Member further confirmed that all of the existing social rented Council homes on the Broadwater Farm estate would be replaced.

The Leader thanked the deputation party at which point Archbishop Frimpong responded to note that he had full confidence in the Cabinet to keep their commitments. Cabinet continued to consider the Cabinet report on Broadwater Farm.

## **9. BROADWATER FARM**

Following the deputation, the Cabinet Member for Housing and Estate Renewal formally introduced the report on Broadwater Farm. The Cabinet Member informed the meeting that once the structural issues became known, substantial work had been done across the estate to ensure the safety of residents. The nine medium rise blocks had had their individual gas supplies removed with heating and hot water provided initially by temporary oil fired boilers.

The Cabinet Member continued to outline that all these blocks would be connected to a modern district energy network by summer 2019, at a cost of £13m. In addition, strengthening and refurbishment works were being designed for the medium-rise blocks on Broadwater Farm. Kenley Tower, which passed the required safety tests, would also receive upgrade works, including new heating and hot water systems and associated works.

The Cabinet Member reminded the meeting of the purpose of the attached report, arising from the fact that two of the blocks on Broadwater Farm – Tangmere and Northolt - had failed the lower of the safety tests for buildings of their type. In June

Cabinet had taken a number of difficult decisions about the future of these two blocks. At that meeting Cabinet had considered the options available to address the structural issues affecting Tangmere and Northolt. All the options would have required residents to be rehoused from the two blocks so there had been no option for the residents to remain in their homes.

The rehousing of Tangmere residents had been more urgent due to the deadline for gas to be removed from all the blocks on Broadwater Farm. The process of rehousing Northolt residents has not started as this block did not have piped gas.

At its meeting in June Cabinet assessed that the strengthening works required to make the blocks safe were prohibitively expensive and did not represent value for money when compared to the other options. Consideration was also given to the type of building in question and its likely life span even if strengthening works were carried out.

Having considered the options in June, Cabinet decided that its preferred option was to demolish Tangmere and Northolt and then to build new, high quality replacement Council homes on Broadwater Farm. Consequently, residents had been consulted on this preferred option, and the results of the consultation for both blocks was that a very clear majority of residents agreed with the Council's proposal. This was 90% of residents in Tangmere and 80% of residents in Northolt in favour of this preferred option.

The Cabinet Member further informed Cabinet of the need to approve a rehousing policy setting out its commitment to the residents of these two blocks. This included a guaranteed right to return for Tangmere and Northolt tenants to the new homes when they were built. If Cabinet agreed the recommendations in the attached report, more detailed work would start on the proposals for the new homes and this would be done in consultation with residents of the estate.

The Cabinet Member acknowledged the decision to demolish Tangmere and Northolt was not an easy decision given some residents had been living in their homes for a number of years. However, it was clear that a large majority of those residents consulted at the two blocks supported the decision.

The Cabinet Member further put forward an amendment to the Rehousing and Payments Policy to ensure the wording of the policy properly reflected the Council's aims, following feedback from tenants. This amendment was to make clear that all tenants who move out of Tangmere or Northolt under the Policy or the Tangmere Priority Rehousing Scheme will be eligible for a second transfer with Band A priority following their first move out of the block. This would be regardless of whether their first move was through choice based lettings or through a direct offer, and this second move can be made at any time until either the tenant was offered one of the new replacement homes on the estate or s/he decides s/he does not wish to return.

The Cabinet Member sought agreement from Cabinet colleagues for an additional recommendation to delegate authority to the Director of Housing, Regeneration and

planning to amend the Rehousing and Payments Policy to allow all tenants to have second moves as set out above.

Following questions from Cllrs Berryman & Brabazon, the following information was noted:

- That paragraph 6.61 would be amended by replacing the word, '*any*' with '*all*'.
- The Cabinet Member and officers had advised the BWF residents Association, a few months ago, of the Council's application to the GLA for an exemption from the requirement to ballot.
- In reference to a ballot noted at paragraph 6.62 and whether this was the same (GLA) ballot that had been mentioned by the deputation, the Cabinet Member confirmed it was a different ballot. Due to the health and safety concerns, the situation in Tangmere and Northolt was pressing and there was not enough time to work with residents to prepare a redevelopment plan, and ballot residents on it, before taking a decision about whether to demolish the blocks. When the Council had such a plan for the rebuild, it was the intention to ballot the whole estate.

Following questions from Cllr Barnes, the following was noted:

- As soon as the Cabinet became aware of the serious structural risks posed by Tangmere and Northolt, they had acted swiftly and decisively to ensure the safety of its tenants. The Cabinet Member emphasised that Cabinet were not aware of any pre-existing concerns about the structural integrity of the tower blocks from the 1970s. If it was suggested that the Council knew of these structural issues then this was a fundamentally different question to the report in consideration, and would need to be explored. The Cabinet Member had no reason to believe that the Council knew of these structural issues from the 1970's.
- If future proposed plans were rejected in a ballot, the Cabinet Member advised that the Council would need to consider what to do next at that stage but it was clear that proposals could only be progressed when a ballot was successful.
- The remaining properties at Broadwater Farm were due to have refurbishment works and would also be connected to the new district heating network. The Cabinet Member acknowledged that it would be a challenging time for residents in the next few years. However, there was a need to make sure the work was carried out to bring the homes back up to standard. Officers further clarified that the medium-rise blocks were due to have strengthening works completed and this provided the opportunity to complete long overdue internal improvement works.
- It was further clarified that the future ballot would be a ballot of the whole estate and would entail prior conversations with residents living on the whole estate (including those who had moved out of Tangmere and Northolt because of the problems). Therefore it was not prudent, at this stage, to

speculate on a potential outcome to the ballot but have full discussions with residents beforehand.

The Leader highlighted the additional recommendation put forward by the Cabinet Member for Housing & estate renewal at paragraph 9 above,

## **RESOLVED**

1. To note and considers the outcome of the consultation carried out with Council tenants living in Tangmere pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Tangmere, as summarised in section 6.20 – 6.26 of this report and set out in detail in appendix 1.
2. Having regard to the results of this consultation, to agree that Tangmere should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Tangmere and to decide the timing of any final demolition notice that needs to be served.
3. To note and considers the outcome of the consultation carried out with Council tenants living in Northolt pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Northolt, as summarised in section 6.27 – 6.33 of this report and set out in detail in appendix 1.
4. Having regard to the results of this consultation, to agree that Northolt should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Northolt and to decide the timing of any final demolition notice that needs to be served.
5. Having considered the results of the consultation on the Broadwater Farm Rehousing and Payments Policy as set out in section 6.40, to approve the final Broadwater Farm Rehousing and Payments Policy attached at appendix 2.
6. Having considered the results of the consultation on the Broadwater Farm Local Lettings Policy as set out in section 6.52, to approve the Local Lettings Policy attached at appendix 3.
7. To agree that the rehousing of tenants and leaseholders from Northolt should commence as soon as practicable, and delegates authority to the Director of Housing, Regeneration and Planning to determine the exact date that the rehousing of Northolt commences. The rehousing will be carried out under the Rehousing and Payments Policy recommended to Cabinet in 3.5 above.
8. To approve as required by Section 1 – Financial Regulations paragraph 5.23 (b) within the Housing Revenue Account a virement of £1.2m from the HRA

Building Regulations Review budget to a new budget 'Northolt Rehousing Costs'.

9. To delegate authority to the Director of Housing, Regeneration and Planning to amend the Rehousing and Payments Policy to allow all tenants who moved out of Tangmere and Northolt under the Policy or the Tangmere Priority Rehousing Scheme to be eligible for a second transfer with Band A priority following their first move out of the block. This would be regardless of whether their first move was through choice based lettings or through a direct offer, and this second move could be made at any time until either the tenant was offered one of the new replacement homes on the estate or he/she decides he/she does not wish to return.

### **Reason for decision**

The Council has identified risks in a number of blocks on Broadwater Farm. Surveys have identified that Tangmere and Northolt have failed both the tests relating to Large Panel System (LPS) buildings, which means that there is a risk of progressive collapse caused by a force equivalent to a vehicle strike or bottled gas explosion. These risks have been mitigated through the introduction of measures set out in section six of this report, including:

- In Tangmere, which has piped gas, the replacement of gas cookers with electric cookers and the installation of gas interrupter valves, which will switch off the gas if a leak is detected. Northolt does not have piped gas.
- In both Tangmere and Northolt, a 24-hour concierge and a programme of home visits to reduce the risk that items such as bottled gas are taken into the building.

These mitigations reduce the risks, but do not remove them entirely. Further decisions are needed on how to address the structural problems identified in both blocks so that there is no risk of progressive collapse. In June Cabinet agreed, having considered the options that its preferred option was to demolish both blocks and replace them with high quality, new Council homes built on the estate. It further agreed that officers should consult residents of Tangmere and Northolt on the options for both blocks. This consultation took place between 12 September and 10 October and in the case of Council tenants was a statutory consultation under section 105 of the Housing Act 1985. The results of the consultation are set in sections 6.18 to 6.33 of this report, and show clear support for the Council's preferred option. Cabinet can therefore now make a decision on the future of both blocks in light of the results of the consultation alongside consideration of the technical and financial information presented in this report and the report to Cabinet of 26th June.

Because the Council was already aware of the requirement to rehouse residents of both Tangmere and Northolt (as all options to address the structural issues required each building to be emptied), in June Cabinet also agreed a draft Rehousing and Payments Policy for consultation. This consultation has now taken place, and a final

Rehousing and Payments Policy is presented for approval. The key commitments of the policy include:

- Guaranteed rights of return to the estate for all Council tenants and resident leaseholders who need to move out of Tangmere or Northolt.
- This includes a right to return to new build homes on the estate when they are built.
- Equity loans for resident leaseholders, to enable them to buy a new home in the borough with financial assistance from the Council.

In order to give residents who move out of Tangmere and Northolt the ability to return to Broadwater Farm more quickly if they want to, it is also proposed that a Local Lettings Policy is adopted. This will prioritise future lets on Broadwater Farm to these residents. The Council consulted on this proposed policy, and found clear support.

If Cabinet agrees that one or both blocks should be demolished, then demolition notices under Sections 138A and 138B of the Housing Act 1985 will need to be served on the secure tenants in those blocks.

### **Alternative options considered**

The alternative options for rectifying the structural defects in Tangmere and Northolt were considered in detail in the report considered by Cabinet in June, and were explained in the consultation with residents.

Doing nothing is not an option, as both blocks have failed structural tests. The risks posed by the structural defects have been mitigated, but the blocks cannot remain occupied long-term as they are.

The main alternative option considered was to carry out major strengthening works to both blocks. Retrospective strengthening works would require the joints where walls, floors and ceilings meet to be strengthened. Windows would need to be removed to allow the strengthening materials to be fitted. The cost of these works to Tangmere is estimated at £13m while the cost of these works to Northolt is estimated at £12.5m. The works cannot be done while the residents remain in occupation.

In June, Cabinet decided, having considered the technical feasibility and the cost of the strengthening work that its preferred option is to demolish both blocks and replace them with high quality, new Council homes built on the estate. The consultation shows that a clear majority of residents agree with the Council's proposals.