

# **MINUTES OF THE MEETING Housing, Planning and Development Scrutiny Panel HELD ON Tuesday, 30th July, 2024, 6.30 pm**

## **PRESENT:**

**Councillors: Alexandra Worrell (Chair), Tammy Hymas, Dawn Barnes, Khaled Moyeed, John Bevan and Diakides**

### **170. FILMING AT MEETINGS**

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

### **171. APOLOGIES FOR ABSENCE**

Apologies for absence were recorded for Cllr Harrison Mullane.

### **172. URGENT BUSINESS**

The Chair informed Members of a change to the order of the agenda. Agenda Item 8 would be brought forward so that it was considered immediately after the minutes. The minutes reflect the order in which items were discussed, rather than the order of the published agenda.

### **173. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **174. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS**

The Panel received a deputation on behalf of Haringey Defend Council Housing. The deputation was in relation to Agenda Item 9, Fire Safety Action Plan. The deputation was introduced by Paul Burnham and Michael Hodges. The key points put forward in the deputation are summarised below:

- The deputation party set out that they were shocked that all 80 council housing blocks above 5 stories had life critical fire safety defects. This was broken down to 46 blocks with combustible external panels and 80 blocks with defective fire safety doors and compartmentation defects.
- The deputation party contended that this had not been reported candidly to residents or councillors.
- Mr Burnham advised that he resided in Newbury House, which had 15 floors, a single staircase, and defective fire doors. The block has a tolerable risk of fire,

which effectively meant that no expenditure was necessary. The building also had six vertical ribbons of combustible composite panelling on the exterior walls. In an email exchange with Mr Burnham, officers had advised that the cladding on Haringey buildings was not comparable with the whole façade cladding at Grenfell. Mr Burnham referred to press article that the officer had sent to him that suggested that limited cladding was safe.

- In an email exchange with Mr Burnham, officers had advised that Council policy was that combustible panels should be replaced on the normal timescales for window replacement programmes. The industry standard for this, it was suggested, was 30 years. The deputation party commented that they believed that this was completely wrong.
- The deputation party drew Members attention to the window safety test for Newbury House, which said that; a fire could spread over the balconies of any of the 85 properties to ignite window panels. It was alleged that the report also highlighted that the vertical panels could aid the rapid spread of fire internally and externally. Mr Burnham suggested that therefore, the design did not need to be exactly the same as Grenfell to be a serious fire hazard.
- It was suggested that the tower block was already a high risk building, with multiple sources of ignition and with complex and highly fallible management systems.
- Mr Burnham set out that in addition to the risk of fire spreading through the external panelling, he would characterise the Council as having; cost-cutting policies in place, having defective fire risk assessments, outsourcing inspections, and having complacent management. He suggested that these were all the elements required for a major fire disaster.
- The deputation party advised that the government policy was that all combustible materials should be removed urgently from the external walls of tall buildings.
- The deputation party recommended that the Panel should refer back the Fire Safety Action Plan report on the agenda, as it did not mention life critical safety faults.

The following arose in discussion of the deputation:

- a. The Panel sought clarification from the deputation party about what they were asking the Council to do. In response, Mr Burnham commented that he would like the Council to be open and honest about the level of risk, to undertake the remediation work required in the blocks, and to explain what remediation work had been undertaken since Grenfell. The deputation party suggested that the Panel might want to do a dedicated piece of scrutiny work on this and that the Council should be lobbying central government to provide additional funding for council homes.
- b. The Panel sought clarification around the deputation party's concerns about use of sub-contractors to carry out fire safety risk assessment. Members commented that that this was a widespread practice in the industry. In response, Mr Burnham acknowledged that use of sub-contractors was rife in the industry and his concerns were that sub-contractors were being used as part of a cost-cutting agenda. The assertion was that the Council had contracted a company to carry out fire safety inspections and that that company had then sub-contracted it out to a smaller company for a lower fee. Mr Burnham advised that he had been on the website of the sub-contractor in

- question, who were not appointed by Cabinet, and their website advertised success stories where they lauded their own ability to reduce clients' costs arising from fire safety inspections.
- c. The Chair asked the deputation party to clarify the point about their disagreement with the assertion that the fire would not have happened at Grenfell before its refurbishment. In response, the deputation party set out that Grenfell was a failure of multiple systems; how the cladding was marketed, lack of building control, failure of fire service management, and governance failures. It was commented that the tower blocks were complex and that there was 14 different monthly safety inspections carried out on Newbury House alone. Mr Burnham advised that they were worried that the combustible panels could contribute to the spread of fire. It was suggested that this was a risk, and that he was concerned that the Council was not taking that risk sufficiently serious enough.
  - d. The Panel summarised the deputation party's ask as a) being open and transparent, b) work out what remediation work needed to be completed, and c) lobby the government for additional funding. It was suggested that the first and the third of these didn't cost any money and could be implemented quite easily. The Panel asked whether the deputation party accepted that ultimately there just wasn't sufficient money available to do everything in the timescales that they were asking. In response, Mr Burnham replied that he did not accept that there wasn't enough money available and that it was beholden on the Council to ask government the question. It was commented that there was £37m in the HRA Capital budget and that the deputation party had no way of know how this was spent, and the extent to which some of this could be reallocated to fire safety.
  - e. In response to a follow-up, Mr Burnham commented that a change of government policy re additional funding for council homes was essential and that since the change of government, the LGA, housing associations and the Chartered Institute of Social Housing had written a letter to the government asking for additional funding, which had been supported by 20 local authorities.
  - f. In response to a question, the deputation party advised that very often there was a need for comprehensive replacement, of say fire doors, as this was often more cost effective. The deputation party also raised concerns about a historical legal case where the Council had asked for evidence that the fire doors supplied by a contractor were compliant with the necessary regulations.

The Chair thanked the deputation party for speaking to the panel and for answering Member's questions.

## **175. MINUTES**

### **RESOLVED**

That the minutes of the meeting on 13<sup>th</sup> March were agreed as a correct record.

## **176. FIRE SAFETY ACTION PLAN**

The Panel received a report which provided an update on the progress to date in implementing Haringey's Fire Safety action plan. The report was introduced by Scott Kay, Head of Residential Building Services, as set out in the agenda pack at pages 39-48. Cllr Sarah Williams, Cabinet Member for Housing and Planning was also present for this agenda item. The following arose during the discussion of this report:

- a. The Cabinet Member set out making sure residents were safe was of paramount importance to the administration. The Panel was advised that the Council had spent £11m on electrical surveys, £20m on fire door replacement, and £4m on smaller fire actions. The Cabinet Member also set out that the Council had completed a programme of high risk structural surveys and had begun undertaking other appraisals, such as in walls.
- b. The Chair sought assurances from officers about the deputation party's assertion that nearly all of Haringey's high rise blocks had combustible cladding and questioned why that information had not been presented to the panel in the report. In response, officers set out that the authority was required to provide all of the information on our buildings to Social Housing Regulator, particularly in regard to building safety. Assurances were given that the Council was developing a new asset management programme, one strand of which was around fire safety. Officers advised that information on the fire spandrel panels had been shared with the regulator and the fire brigade. Monthly meetings with the Borough Fire Commander also took place to review serious fire incidents and to look at emerging areas of risk.
- c. The Panel noted that Stellar House had an evacuation plan and questioned how it was determined that a building should have an evacuation plan versus a stay put plan. In response, officers advised that all high-rise blocks had a stay-put plan, unless there were specific circumstances that required an evacuation plan. The rationale behind an evacuation versus a stay-put plan was determined by the building's characteristics. In most cases a stay-put plan was considered more appropriate in order to allow the fire brigade to access the building, without having to deal with hundreds of people trying to evacuate the building via the staircase. Instead, each compartment of a high-rise building should be fire resistant for 30 minutes to allow the fire brigade time to attend and deal with the fire. Stellar House had been changed from a stay-put strategy to an evacuation policy, following a fire risk assessment due to the design of the building and the number of external panels.
- d. In relation to a follow-up question, officers advised that they were happy that a stay-put policy was appropriate, and that this was determined by the fire risk assessor and the risk identified was determined for each individual building at the time of the assessment. All high-rise buildings had been assessed and had a current up-to-date fire risk assessment.
- e. In response to a further follow-up question, officers advised that the Council had two internal risk assessors and also two vacant posts. Officers set out that it was difficult to hire qualified fire risk assessors, due to the fact they were in high demand and the market was very competitive. The Panel were given assurances that a very high level of assurance and certification was required as part of tender for a fire risk assessment company, including membership of the institute of fire engineers. The company that was employed by Haringey

used additional resources, such as a sub-contractor. The sub-contractor had to meet the same characteristics as the main contractor. Officers advised that they had a high level of competency around fire risk assessments and also had experience of working with a number of other social housing providers.

- f. Officers advised that they were in the process of tendering for a major works contract, which included Stellar House. It was envisaged that works would begin next year.
- g. The Panel sought clarification about the number of overdue high risk actions set out at paragraph 6.9 of the report and the fact that there were around 1500 actions outstanding. In response, officers advised that part of the reason for self-referring to the regulator was an acceptance that this was not good enough and the Council had undertaken a voluntary commitment to rectify the situation. Officers advised that a number of programmes had been put in place to tackle the overdue actions. As part of the programmes, a number of contractors had been appointed and they had been asked to provide assurances about when these would be completed. Officers estimated that the overdue actions would complete by December. The Cabinet Member also set out that there were a number of mitigations put in place following the referral, such as alarm systems and building managers.
- h. The Panel sought assurances that the reduction of circa 2600 high level actions in the table was as a result of something having been done rather than just reclassifying the risk level. In response, officers advised that each action was the result of an observation by a fire risk assessor and could be that they were unable to access a particular fire risk assessment. As soon as that document was found, the action could be closed. Officers advised that a fire safety action would not be closed without the relevant evidence and that there was an audit trail for every action that was closed.
- i. In response to a question about the contractor, officers advised that the Council held a contract with a fire safety consultancy, called Faithorn, Farrell & Timms, who provide the management, administration and quality assurance for fire safety risk assessment. They then sub-contract out the assessments to a specialist asbestos contractor, who go out and carry out the fire risk assessments. The fire risk assessments are then quality assured by the main contractor and they are signed off by the Council. In response to a follow up question, officers advised that the contract was around £4m in value over five years and that around 1650 fire risk assessments were carried out each year.
- j. In response to a questions about in-house assessments, officers advised that there were two full-time fire risk assessors in house and two vacancies. The in-house assessors carried out some of the FRAs and other inspections such as quarterly inspections of communal doors.
- k. In response to a question, officers advised that there was a constant churn of fire safety actions, and that new actions were raised as a matter of course. However, the actions referred to in the report were specifically those that were reported to the regulator as part of the Council's self-referral.
- l. In relation to a questions about how residents could report fire safety concerns, officers advised that there was information on the website and that there was a dedicated fire safety email address to report concerns to, and that people should also speak to the building safety managers (in high-rise blocks). In

addition, the Panel were advised that residents had been engaged with and asked to undertake fire safety training. There was also a building specific resident engagement strategy for each high rise block.

- m. In response to a question, officers advised that grills, gates and barriers to doors and windows were picked up by the assessors as an urgent fire action and passed to the tenancy management team to engage with the tenant to organise removal.
- n. The Panel was advised that each door was inspected during a fire safety risk assessment and that any non-compliance to the required standard would be picked up as part of the assessment, including for leaseholders. The Council has a policy that only wooden doors could be installed, rather than composite doors and that this was above the current regulatory standard.
- o. The Chair queried the extent to which progress was hampered by a lack of resources, particularly with regards to combustible cladding. In response, the Cabinet Member set out that fire safety would always be a priority. It was acknowledged that the political landscape for social housing had been increasingly difficult for a number of years, however, the Cabinet Member stated that within the context of affordability, it would be other programmes that would be rationalised. There was a fire safety programme in place, but that took time as it involved large scale procurement, there were mitigations in place to offset those delays.
- p. In response to a follow-up question, officers set out that there was only so much focus that could be dedicated to this area and that this focus inevitably came with an opportunity cost. However, that cost was to other areas such as planned works and retrofitting. It was reiterated that the Council would never under-invest in safety and that fire safety was an absolute priority.
- q. In response to a question, officers advised that they would like to see an increase in the amount of assessments and other related works carried out by in-house staff. However, this was difficult due to an extremely competitive marketplace.
- r. The Panel sought assurances about allocating those with mobility difficulties above the third floor and there being a stay put policy in place in that building. In response, officers agreed to get a written response about whether the allocations policy has specific stipulations about disabled residents to living above the third floor and whether we would seek to relocate them. **(Action: Hannah Adler).**

#### **RESOLVED**

That the report was noted.

### **177. HOUSING ASSET MANAGEMENT PLAN**

The Panel received a report which provided an update on the Housing Asset Management Plan. The report was introduced by Christian Carlisle, Interim AD Asset Management as set out in the agenda pack at pages 13-22. The item also contained a presentation on progress to date with retrofitting properties in Haringey to improve their energy efficiency. This presentation was provided by Alfie Peacock, Senior

Project Manager – Energy and Sustainability as set out in the agenda pack at pages 23-29. Cllr Sarah Williams, Cabinet Member for Housing and Planning was present for this item, along with the Director of Placemaking and Housing. The following arose during the discussion of this item:

- a. The Panel sought clarification around how the revised Asset Management Plan was a change from what had been in place previously. In response, officers advised that this should be seen as an expansion of the existing process. Officers set out that a stock condition survey had just been completed for the first time since 2015 and that having accurate data would allow the Council to better plan and prioritise works going forward.
- b. Members asked whether the Asset Management plan included the decoration of existing estate blocks. In response, it was advised that that this was not usually part of Major Works, and instead was carried by the communal decorations team.
- c. In response to comments about difficulties in spending capital money every year, officers acknowledged that this was always a challenge. The Council spent circa £27m last year and it was forecast to spend circa £35m in the current year. Officers commented that some of the delays were caused by the procurement process and supply chains, it was hoped that the implementation of 10-year partnering contracts would help mitigate some of those delays.
- d. In response to a query about aids and adaptations and progress with merging the two teams, officers advised that the two teams did slightly different things. It was noted that the team within Adult Social Services undertook assessments retrospectively following requests from a tenant, where as in Housing an occupational health assessor would be involved in major works programmes and would contribute to the design of a unit.
- e. In response to a question about the timetable for the implementation of the framework agreement, officers advised that the Council had decided to go through its own framework contract and that it was still on track; it was anticipated that this would be in place by quarter 2 of 2025/26.
- f. The Panel sought assurances around resident and leaseholder engagement in procurement panels for major works. In response, officers set out that there was a legal requirement for residents to be involved in the prioritisation and feedback on works and that the Cabinet report set out how that engagement process would work.
- g. Officers advised that stock condition surveys were being undertaken so that the Council would not have to be in a position whereby it lacked relevant data and that there was a commitment that these would be done on the basis of a minimum of 10% stock done year on year.
- h. In response to a question, officers advised that the stock viability model looked at what needed to be invested in the Council's housing stock over the next thirty years against the anticipated levels of income. It was clarified that this was not about selling assets if they were considered too expensive to renovate.
- i. The Panel sought assurances about the extent to which partnership contracts would be able to offset the risk of contractors going bust. In response, officers advised that nobody wanted to go through the pain of having contractors go

- bust, and that it was envisaged that the framework agreement would help mitigate this, particularly as the Council would be seeking to appoint large scale tier one contractors. It was also noted that the intention was to tender the contracts in such a way that there was no guarantee of work, in case the contractor did not perform up to expectation.
- j. In response to a question around Decent Homes standard and the timeframe for additional investments to go above that standard, officers advised that in general they would always seek to do works all together to minimise disruption and that it might be the case that some works were brought forward if other works were being done on site.
  - k. The Chair requested that the table at paragraph 4.6 of the report be broken down to show the average investment per dwelling in a particular location. In response officers advised that they were not sure that it would be possible to present an average, but that they could provide additional information of how that figure was arrived at based on the stock condition survey data. **(Action: Christian Carlisle).**
  - l. The Panel sought clarification about retrofitting and the aspiration to achieve an average of EPC-C, rather than EPC-B. In response, officers advised that the Housing Energy Action Plan (HEAP) set out a target for an EPC-C average by 2030, EPC-B by 2035, and carbon neutral by 2041. Officers acknowledged that the basis for this was the timelines for government grants. Officers were confident that Haringey would meet those targets.
  - m. In response to a question about external insulation versus cavity wall insulation on the Coldfall estate, officers advised that external insulation had been chosen because of the design of those buildings and the fact there were no cavities in the internal walls.
  - n. Officers acknowledged the need to communicate with leaseholders in the buildings where retrofitting was taking place and suggested that they envisaged the contractors giving leaflets out to those properties and engaging with residents directly. Officers advised that engaging with leaseholders was part of the action plan.
  - o. In response to a question, the Director advised that he would be discussing the possibility of adopting a retrofitting first approach in relation to enabling planning policy to support retro-fitting, at the upcoming meeting of the Local Plan working group. It was cautioned that there was quite strict primary legislation in place around conservation areas.
  - p. Officers agreed to come back with an explanation of how an average of EPC-B was calculated and whether it was calculated as a mean or mode average. **(Alfie Peacock)**
  - q. Officers also agreed to come back with an explanation of how fuel poverty was calculated in England and what the definition was. **(Alfie Peacock).**
  - r. The Panel commented that the figures in the presentation were quite small and questioned how this could be scaled up to meet Haringey's ambitious climate targets. In response, officers advised that there were other workstreams that contributed to improved carbon efficiencies, such as major works programme replacement of doors, windows and boilers. The Mayor's Office established several retrofitting programmes. Officers acknowledged that there was a general shortage of funding from government for retro-fitting.



- s. The Panel queried about what could be done if leaseholders didn't want to go through the disruption of having retrofitting works done. In response, officers advised that part of the job of the team would be to try and persuade them of the benefits of retrofitting and explain some of the disruption involved. A surveyor would be sent round to talk to the homeowners. The Council would be seeking to bring as many people along with them as they could at each stage of the process, but ultimately there would be a point in which the project had to move on.

## **RESOLVED**

That the Panel noted the report.

### **178. HOMEOWNERSHIP SERVICES UPDATE**

The Panel received a report which provided an update on the improvements being made for leaseholders in the Homeownership Services, as part of the Housing Improvement Plan. The report was introduced by Suzanne Prothero, Head of Ownership Services as set out in the agenda pack at pages 31 to 47. Cllr Sarah Williams, Cabinet Member for Housing and Planning was present for this item, along with the Director of Placemaking and Housing. The following arose during the discussion of this item:

- a. The Panel sought assurances around the extent to which the Council provided a clear set of expectations to leaseholders, in terms of what they could expect in return for service charges. In response, officers advised that the individual leases would set out what services the Council provided as the free-holder, and that details of, say, the cleaning schedule would be put up on communal notice boards. There were FAQs up on the website in relation to leaseholders and there was also a dedicated phone line and email inbox in place.
- b. The Chair asked for further information around key areas of improvement that were raised by the leaseholder continuous improvement group. In response, officers advised that in relation to service charges, it was about modernising the approach and being much more transparent. In relation to repairs, it was about these not being completed on time. In relation to policies and procedures, it was about a lack of consistency in the approach, a feeling that the rules were not standardised, and the need to professionalise the service.
- c. In response to a question about how much input leaseholders got into the development of new policies and procedures, officers advised that each policy would be signed off by the continuous improvement group (CIG).
- d. In response to a follow-up, it was noted that the CIG met quarterly and that Haringey Leaseholder AGM still happened annually. It was confirmed that an officer was present at the AGM meetings. Officers advised that a Member of the Haringey Leaseholders Association sat on the CIG, but that the two bodies were separate.
- e. The Panel sought assurances about how disputes about leaseholder charges were recorded and monitored. In response, officers advised that the service still operated a manual system, but that processes had been put in place to resolve previous issues around leaseholders being billed for repairs that were not carried out. Officers also set out that regular estate inspections were carried out and that issues of repairs not being done would be picked up then.

- f. In response to question about a sinking fund, which would allow leaseholders to pre-pay for costs towards major works, officers acknowledged that they had the ability to do it, and that they were looking at bringing something like this in, subject to the need for consultation.
- g. The Panel sought assurances that leaseholders were made aware of the permissions needed to do work on their properties, and also requested confirmation that the Council had withdrawn permission for leaseholders to change their windows and front-doors. Officers responded that there was a leaseholder alteration policy in place, which meant that leaseholders had to request permission to make changes and that they were also charged a fee. Separate to this, there was also a Cabinet decision taken that prohibited leaseholders from replacing doors or windows.
- h. Members commented that the Haringey Leaseholders Association had been problematic in the past, involving a lot of legal cases. Members queried whether relations had improved. In response, the officer advised that she had only been in post for 18 months, but that in her experience the relationship was cordial and that she suspected it had improved from the position it was in ten years ago
- i. The Panel asked officers if they were aware of case involving leaseholders at Brewery House taking the Council to the Ombudsman. In response, officers agreed to provide a written note to the Panel on this case. **(Action: Suzanne Prothero).**
- j. The Panel raised concerns about how the Council engaged with the tenants of leaseholder landlords and suggested that a leaseholder having to get permission to change a lock from the freeholder (the Council) would inevitably cause delays for the tenant. In response, the Panel was advised that Leaseholders were free to rent out their flats, but that the Council should be informed of this. In the scenario outlined, the Council's relationship was with the leaseholder landlord, but that it would take reasonable steps to inform tenants where possible. The Director advised that in the case of a landlord acting in a less than responsible manner, it was expected that the private rented sector housing team would be responsible for engaging with the landlord and that rogue landlords would be caught through the various licensing schemes in place. It was added that the only way that the Council would have information on a tenant for certain, is if the Council had placed them in a leaseholder property as Temporary Accommodation.
- k. The Panel question whether there was scope for leaseholders to carry out works and bill the Council, in circumstances where there had been lengthy delays and there was a possibility of the leaseholders taking the Council to court. In response the Cabinet Member set out that leaseholders were not able to carry out works to communal areas and that there were issues with leaseholder repairs being done badly and damaging neighbouring properties. The Cabinet Member suggested that the priority was to get the repairs service up to standard, rather than changing the existing policy.
- l. In relation to the revised responsible repairs policy, officers advised that the previous policy wasn't clear enough about what was and was not the responsibility of the Council. Similarly, the Council had received feedback from the Ombudsman about the need to make clearer what could be the subject of an insurance claim.

- m. The Panel highlighted the 18% leaseholder satisfaction score mentioned in the report and sought assurances about how this compared with other boroughs. In response, officers set out that Haringey's was in the lower quartile and required improvement, but that these scores tended to be low across the board.

## **RESOLVED**

That the Panel noted the report.

### **179. WORK PROGRAMME UPDATE**

In relation to possible future agenda items, the panel put forward the below suggestions:

- Parks service undertaking maintenance on new estate buildings
- The out-of-hours housing service and concerns that it was operating as well as it should
- A follow up around PRS licensing and the monitoring of HHRS inspections and the number of CPNs issued etc. The Chair advised that she was discussing this with relevant officers outside of the meeting.
- The Panel requested that the Cabinet Member be asked for a response to the 3 main asks set out in the presentation. Namely; the need for more transparency, the need to lobby government for additional funding; the need to carry out remedial works and to set out what remedial work had been done since Grenfell. **(Action: Philip).**

## **RESOLVED**

That the work programme was noted

### **180. NEW ITEMS OF URGENT BUSINESS**

N/A

### **181. DATES OF FUTURE MEETINGS**

- 26<sup>th</sup> September 2024
- 5<sup>th</sup> November 2024
- 16<sup>th</sup> December 2024
- 6<sup>th</sup> March 2025

CHAIR: Councillor Alexandra Worrell

Signed by Chair .....

Date .....