

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 28 June 2017.

PRESENT: Councillors S E Bloundele (Chair), R Arundale, S Biswas, J Blyth, R Brady, D J Branson, J Brunton, Mr D Budd, M Carr, D P Coupe, D Davison, S Dean, E Dryden, J Goodchild, T Harvey, A Hellaoui, T Higgins, C Hobson, J Hobson, B A Hubbard, N Hussain, T Lawton, L Lewis, T Mawston, D McCabe, J McGee, L McGloin, F McIntyre, C M Rooney, D Rooney, J Rostron, M Saunders, M Storey, M Thompson, Z Uddin, J A Walker, M Walters, J Young and L Young

OFFICERS: M Allinson, J Bromiley, B Carr, P Clark, L Henman, A Hoy, D Johnson, J McCulloch, A Pain, T Parkinson, B Roberts and S Reynolds

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Councillor J McTigue, Councillor G Purvis, Councillor P Purvis, Councillor J Rathmell, Councillor J Sharrocks, Councillor N J Walker.

DECLARATIONS OF INTERESTS

None Declared.

17/13 ANNOUNCEMENTS

The Chair requested that members participate in a minutes silence for the victims of the Grenfell Tower tragedy.

All present stood in silence as a mark of respect.

17/14 GRENFELL TOWER TRAGEDY

The Monitoring Officer had received a request, signed by eight Councillors, seeking a discussion with regard to the safety and welfare of residents living in social housing, former council housing, housing association and private landlords within the borough following the horrific Grenfell tragedy.

In accordance with paragraph 7 (a) iv) of the Council Procedure Rules, an Extraordinary Council Meeting had been called. A copy of the request and scope was attached as an Appendix to the report.

The Chair invited Councillor Brian Hubbard to speak on behalf of the signatories in support of the request to call an Extraordinary meeting of the Council.

Councillor Hubbard stated that following the horrific events that had occurred at Grenfell Tower, many residents across Middlesbrough were living in fear as to whether their homes were safe to live in. Councillors required answers with regard to how safe the residents of Middlesbrough were and to have a debate and put forward recommendations that would be acted upon with regard to this issue.

Councillor Hubbard stated that he would like to hear from the Chair of Cleveland Fire Authority and representatives of Thirteen housing to provide clarity on the way forward to ensure the security and safety of residents both in the short-term and in the future.

Councillor Hubbard stated that some of the questions that needed to be answered were how the Thirteen housing group had found themselves in a position where they had originally stated that there all their housing stock was safe only to change that position this week. Given the fact that a number of high rise blocks owned by Thirteen had failed the safety precautions tests, why were combustible materials fitted to the high rise blocks when there was supposed to be fire retardant and non-toxic panels in place?. He queried whether cost had played a part in the decision to fit the tower blocks with these combustible materials rather

than the safety and welfare of those residents living in the high rise blocks.

Members were advised that in 2012, a coroner had recommended that sprinkler systems be fitted to all high rise blocks. He queried whether the Thirteen group had ever discussed implementing these recommendations and whether they were now considering fitting sprinkler systems in all their high rise blocks.

Councillor Hubbard also stated that there was concern that the Thirteen group had changed their policy with regard to the removal of all asbestos from social housing to a policy of monitoring any instances of the presence of asbestos to see if it was safe. Councillor Hubbard stated that the asbestos that remained in social housing should be removed to ensure that the safety of residents was not compromised.

Councillor Hubbard stated that the housing provider, Coast and Country rented the two top floors of the former Crown House building, for residents to use. He queried whether the cladding on Crown House was safe.

Councillor Hubbard also referred to the fact that some schools in Middlesbrough had cladding on the buildings. He queried whether Middlesbrough Council, in conjunction with Cleveland Fire Authority were in the process of checking those buildings.

He also queried with regard to what measures were in place if residents were forced to leave their properties.

The Chair clarified that the Council could only deal with the situation in Middlesbrough and the issue of asbestos was not relevant to the subject that was being debated as part of the Extraordinary meeting. The Chair invited the Executive Member for Economic Development and Infrastructure to respond to Councillor Hubbard's points.

The Executive Member for Economic Development and Infrastructure advised that he was responding as portfolio holder for housing. He expressed condolences and deepest sympathy to all those people affected by the Grenfell Tower tragedy, on behalf of Middlesbrough Council. He explained it was difficult to express the shock and horror felt by everyone watching the events unfold at Grenfell Tower. He expressed outrage that the tragedy had been allowed to happen as it was completely avoidable. It was clear that more could have and should have been done to ensure the safety of the residents of Grenfell Tower.

Since the tragedy had occurred, the Executive Member had been liaising with the Council's Building Control team, Thirteen housing group, Cleveland Fire Authority and offices of the local Members of Parliament to ensure that they worked together to provide a co-ordinated local response. The group were working collaboratively and sharing information to ensure that each party was kept up to date. The Executive Member stated that in his view, the response from national government had been slow and narrowly focused, whilst the local response had been robust and all-encompassing.

Members were advised that the criteria set by national government was to inspect buildings over 18 metres high, and only those in public ownership, local authority or housing associations. The joint working group had decided that this was not enough. As a result, following the advice of Cleveland Fire Authority, inspections were being carried out on buildings over 4 storeys high. Whilst high rise flats were the main priority, a database was being compiled of both public and private developments.

The task of compiling the database was difficult because the working group were reliant on private developers to provide them with the relevant information. Private developers were however working with the group as they recognised the seriousness of the situation.

The Executive Member advised, that in his view, the de-regulatory agenda that had been prevalent in national politics for many years had weakened the extent to which local authorities could act. Building Control should be the domain of local authorities but the current situation was that should a developer wish to engage with an approved, competent person/regulator, the local authority was obliged to step back and cease any involvement.

The Executive Member also pointed out that in his view, the timeframe of a minimum of 7 days before completion was not an acceptable timeframe in which to engage the fire authority for safety checks. Seven days was not enough time to inspect and implement remedies if necessary, but that was the current position.

Middlesbrough Council was compiling the database and checking the nature of cladding on each tall building and this work was on-going. Questions had been raised with regard to external, thermal cladding on terraced housing. Advice received from the Fire Authority was that the nature of the cladding and the method in which it was attached and rendered would mean that to even attempt to set fire to it, someone would have to either puncture the cladding, or put something directly against the wall and set fire to it. In addition, the nature of the buildings meant that the opportunity to evacuate was easier.

The Council had been assured that the Go Warm and British Gas schemes used a good standard of cladding that fulfilled safety requirements. For those that used other companies, the advice was that they speak to their provider and the Council would assist with this where they could if any difficulties were experienced in doing this.

The Executive Member advised that the response of the Thirteen group had been robust. The Friday after the fire, the Executive Member, accompanied by the MP for Middlesbrough had visited Fleet House and the Elected Mayor had visited Glastonbury House. The purpose of the visits was to gain a better understanding of what was happening on the ground. The Executive Member had also met with the Thirteen group the previous Friday to obtain a thorough update on the group's procedures both before and after the Grenfell Tower tragedy.

The Thirteen group had confirmed that none of their high rise blocks in Middlesbrough were cladded with the same materials that covered the Grenfell Tower block. The group were looking into the installation of sprinkler or misting system in their high rise blocks, but were keen to stress that their flats were subject to 'compartmentation' (which essentially means that each flat is a separate part designed to keep fire contained, or protect from fire beyond its walls). The Executive Member highlighted that at a recent fire in Thornaby, it had been 'compartmentation' that had stopped the fire from spreading.

Members were advised that each flat was fitted with a smoke alarm and intercom system. If an alarm was to go off, and a resident was uncontactable via intercom, the fire service would immediately be called by Thirteen. It was highlighted that this provision went beyond the legal requirement in place for housing associations.

The Executive Member confirmed that all necessary fire and safety assessments were in place and up to date, including a directory of every tenant and their individual needs. This information was retained in a fire box, accessible to the emergency services. As of the previous Friday, 65% of Thirteen tenants living in high rise blocks had been spoken to face-to-face by the teams, and provided with information. The Thirteen group were continuing to contact tenants until every tenant had been spoken to.

A number of issues had been raised through the door knocking exercise and these were being rectified as a priority. Each high rise flat was visited and checked three times a day and full structural surveys were being/had been undertaken. Fire escapes were vented to keep smoke from building up in the blocks and communal areas were monitored by smoke and fire alarms. The next steps that Thirteen intended to undertake was to inspect medium and low-rise buildings.

The Executive Member confirmed that he was confident that as a local authority, alongside its partners, were acting in the most robust way possible to ensure that the people of Middlesbrough were living in safe habitable homes. Middlesbrough was going above and beyond the criteria set by the national government.

The Executive Member stated, that in his view, national government was not doing enough. It was highlighted that when MPs voted against an amendment to the 2016 Housing and Planning Act which was aimed at forcing landlords to make homes 'fit for human habitation'

they were voting against providing a decent standard of living for tenants.

The Executive Member proposed that a Task and Finish Committee, comprising of Middlesbrough Council, the Thirteen Housing group, the Cleveland Fire Authority and Cleveland Police, be established. The aim of the Committee would be to scrutinise the partners' collective response and suggest any further actions to be taken forward.

Members raised the following issues arising from the Grenfell Tower tragedy:-

following discussions with residents from the tower blocks located at Brambles Farm, residents had indicated the following:

- A Member advised that following discussions with residents from the tower blocks located at Brambles Farm, residents had indicated a fire extinguisher had been missing, but following the Grenfell Tower tragedy the fire extinguisher had now been replaced.
- Fire doors were not closing properly.
- There were instances of exposed bare wiring in the blocks.
- Even though there was a rule that no dogs were allowed in the tower blocks, one resident had been allowed to keep a dog, despite complaints from residents.
- The Member suggested that a Steering Group be established made up of residents and Members from all political groups and that the press should be invited to attend the meetings of the Steering Group.
- A Member stated that he would not like the Grenfell Tower issue to be politicised. The tower blocks that had been found to contain the unacceptable cladding were located in both labour and conservative run authorities. The Member pointed out that in his view, the current Building Regulations were adequate, it was whether the local authorities were applying the building regulations in the correct way that was the issue. The Member queried whether the fire authority had dry risers and how regularly fire appliances were checked. He acknowledged the fact that Thirteen were considering the fitting of sprinklers and he queried whether the Council could find funding for Thirteen to fit sprinklers.
- A Member commented that Deregulation had an impact of reducing safety measures.
- A Member expressed concern that the Grenfell Tower Action Group had complained and tried to take legal action prior to the fire, but were not eligible for legal aid to take action against the housing association and the landlords because they first had to prove that a person had been injured. He commented that his main concern was that there was no possibility to challenge the landlords and the more housing associations remained independent of the Council, the more difficult it would become.
- A Member advised that alongside the MP for Middlesbrough, he was consulting with residents in tower blocks. He advised that one of the issues that faced Councils was the lack of funding to enforce building regulations. He stated that state oversight of regulations was vital and many regulations had been or were due to be abolished. The government had given no indication with regard to which regulations were to be abolished. The Member commented that social housing had been neglected by successive governments and it was important that social housing was funded properly to enable the best quality housing to be delivered. The Council needed the political will and the necessary budgets to provide safe, environmentally friendly housing.
- A Member advised that she was a Member of the Tees Valley Scrutiny Joint Committee and she intended to raise the issues surrounding Grenfell Tower with a view to looking at the issues from a Tees Valley basis. The Member welcomed the suggestion that a Task and Finish Group would be established.
- A Member commented that there used to be a national Tenants Service Authority and this had been dismantled.
- A Member commented that there was no single regulator to check if building regulations were being adhered to properly.
- A Member congratulated the Executive Member for his prompt action as a result of the Grenfell Tower tragedy.
- A Member stated that the government should fund the installation of sprinklers.
- The Chair of the Fire Authority advised that Fire law was used to regulate existing occupied buildings in line with the principles of best regulation. The Fire and Rescue

teams focussed on the highest risks in their communities where buildings posed a risk to those people that used them. As a result of 42% budget cuts, the Fire Authority did not have the resources that it used to have. The Fire Authority had lobbied the government, in particular Brandon Lewis MP, for sprinklers to be installed in buildings, without success. Dry risers had been installed on landings. The Fire Authority had inspected high rise buildings over 5 storeys high regularly and these inspections were programmed in. Any building that had not been inspected within the last six months would be inspected. The high rise buildings were broadly considered to be safe - the cladding in the buildings was safe but there could be other issues. Members were advised that they should be reassured that the buildings were safe as they had been inspected by the Fire Authority. The Chair of the Fire Authority expressed sympathy for the people affected by the Grenfell Tower tragedy.

- A Member stated that the local authority did not have authority over the building regulations and some of the companies that did not adhere to the building regulations were to blame.

The Mayor stated that the need for safety for the residents of the town united everyone. Reports would eventually be issued with regard to what had happened in respect of the Grenfell Tower tragedy.

Lots of work had happened very quickly in response to the tragedy with Council officers, the Fire Authority and the Thirteen group. He advised that he had been very impressed with the equipment and CCTV system when he had visited Glastonbury House.

The Mayor stated that he would like to receive, in writing, a list of the defects and details of who the defects had been reported to from the Member that had raised the issues. The suggestion of the Task and Finish Group was a sensible idea, and it would be focussed on safety. He stated that the work that had been carried out in respect of Grenfell Towers was impressive, but not enough. He stated that in his view, the government and the local authority had not acted quickly enough, and he commended the way in which the community had responded. The Mayor urged Members to agree to the recommendation with regard to the establishment of a Task and Finish Group.

A resident requested permission to speak. The Chair advised that the meeting was a business meeting of the Council and as such, residents were not permitted to speak.

Councillor Hubbard thanked the Executive Member for Economic Development and Infrastructure for his remarks and commented that it would be helpful for Members to receive a photocopy of the speech.

A Member commented that she would like to see sprinkler systems installed as the Fire service had stated that there was less chance of fatalities when sprinklers were installed.

A member commented that they would like to see asbestos safety measures being put in place. The Member stated that they would also like to see the Fire Authority compensated for the additional fire inspections undertaken.

Moved, seconded and **ORDERED** that a Task and Finish Committee, comprising of Middlesbrough Council, the Thirteen Housing group, the Cleveland Fire Authority and Cleveland Police, be established. The aim of the Committee would be to scrutinise the partners' collective response and suggest any further actions to be taken forward.