

SHEFFIELD CITY COUNCIL

Safer and Stronger Communities Scrutiny and Policy Development Committee

Meeting held 26 November 2020

(NOTE: This meeting was held as a remote meeting in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020).

PRESENT: Councillors Ben Curran (Chair), Tim Huggan (Deputy Chair), Sue Auckland, Penny Baker, Dawn Dale, Karen McGowan, Anne Murphy, Peter Price, Kaltum Rivers, Andrew Sangar, Richard Shaw and Alan Law (Substitute Member)

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Peter Rippon. Councillor Alan Law attended as his substitute.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 1st October, 2020, were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 The Chair stated that he had received written questions from a member of the public who did not wish to attend to ask the questions at the meeting, and therefore, he would arrange for written answers to be provided to him and published on the Council's website.

6. HANOVER TOWER BLOCK

6.1 The Committee received a report regarding the investigation carried out by the City Council as to why defective cladding was installed in the Hanover Tower Block in Broomhall.

6.2 Present for this item were Janet Sharpe (Director of Housing), Jill Hurst (Head of Housing Investment and Repairs), David Hollis (Assistant Director of Legal and Governance) and Councillor Paul Wood (Cabinet Member for Neighbourhoods)

and Community Safety).

- 6.3 The Chair stated that the purpose of the report was for the Scrutiny Committee to consider what had been agreed at a meeting of full Council held on 5th July, 2017 which asked the reasons why the Hanover Tower Block came to fail fire safety tests, the cause of the failures and the implications for other work carried out under the Decent Homes improvement scheme and for any other buildings in Sheffield.
- 6.4 Janet Sharpe introduced the report and stated that following the Grenfell Tower Block tragedy, the City Council acted swiftly to determine the type of cladding used on all its tower blocks. She said that as soon as it became apparent that the cladding on the Hanover Tower Block was found to be unsafe, that it had no flame retardant properties, work was commenced to remove and replace the cladding. She said that work had commenced in June 2017 and completed by November, 2019. Janet Sharpe stated that the priority for the Council had been to ensure that buildings were safe and reassure residents living in the tower blocks that they can do so safely. Residents of the Hanover Tower Block raised questions and the Council agreed, alongside elected Members, to deliver a factual account of why that building had cladding which was not suitable for buildings.
- 6.5 The Chair invited a resident of the Hanover Tower Block to speak to the Committee, to give the tenants and residents perspective on the matter.
- 6.6 John Cawthorne, a tenant of the Hanover Tower Block and member of the Hanover Tenants and Residents Association (TARA), stated that he and all the residents of Hanover had endured three years of stress, fear, heartache and worry whilst the works were being carried out. He said that several tenants had left their homes and moved into the private sector because of this. Mr. Cawthorne said there was ongoing anger towards the City Council at what was considered to be inadequate actions by the Council in allowing panels to be added to the outside of the building. He felt that the Council should be ashamed that they allowed the contractors to add the cladding, even after tenants had expressed their concerns saying it was a bad idea, that the material should not be used, but they were ignored. He said that eight years previously, the Council were told that the material was not fire retardant. Mr. Cawthorne felt that there was a complete lack of communication between the Council, the contractors at the time, and the residents. He said the fence that had surrounded the tower block had only just been removed. At a meeting of the Association held with Council officers, they had told the Council that the proposal to open up a bin store at the side of the children's playground was a bad idea, they didn't feel it was appropriate, there was a machine outside digging holes to build the bin room. He has since been informed that there has been a change of plan but two large holes are still there.
- 6.7 In response, Janet Sharpe said that meetings were held with residents when it had been found that the cladding was unsafe. She said she understood the concerns of the tenants and leaseholders and that the Council has a duty to make sure they are working closely with residents and make sure they feel safe in their homes and if there are issues to make sure those issues are dealt with as quickly

as possible. She said that lessons have been learned from this.

- 6.8 Jill Hurst stated that a request was made by the Cabinet Member for Neighbourhoods and Community Safety at that time, to carry out an investigation into the circumstances behind the installation of the cladding at the tower block. She said that in the autumn of 2017, she started to collate information as to why the cladding on the Hanover block was different to all the other blocks in the city, who had authorised the installation of the cladding, what, if any, steps had been taken to ensure the fire safety of the materials used and why the Council's Building Control Department had not carried out inspections to the building. Jill Hurst said that this had been a lengthy process and it became apparent that there were gaps in the information obtained. The investigation was conducted by reviewing written documents held by the Council both in paper and electronic format held in files, in the Council's archives and various systems it used. Documents from external third parties were obtained, and interviews were held with officers still employed by the Council. She said the Council had tried to be transparent in its findings, whilst acknowledging that there were gaps in the report. Also, a legal request was made to Lovell who were the contractors who had carried out the works, to obtain any information they held.
- 6.9 She said the stairwell had not formed part of the investigation report because the issue regarding the material on the staircase only came about when the cladding had been removed. They were not aware that there had been concerns but arranged for a panel to be removed and checked and to find out where it came from and discovered that it was not what the Council had specified that they wanted on the staircase. The type of material had been discovered after the removal of the cladding, the residents had drawn the Council's attention to it, stating that it was questionable. It has since been replaced on a metal framework and Lovell accepted responsibility for the cladding and has compensated the Council.
- 6.10 Councillor Paul Wood questioned why so much information was missing; the biggest lesson learned from this was that robust secure systems need to be put in place to ensure that any major decisions taken by the Council are fully recorded so that the Council can look back at those decisions and look at who, when and where those decisions were made. Councillor Wood said that when the decent homes initiative was carried out, the tower blocks were under the remit of Sheffield Homes and when that folded, much of the paperwork was lost. He said he was extremely disappointed that this had happened, that there should have been a robust paper trail to follow, but he believed the officers carrying out the investigation had done everything they possibly could to gather the information.
- 6.11 Members asked a number of questions, to which responses were provided as follows:-
- Sheffield wasn't unique in using the type of material on its buildings, it was widely used throughout the country. There was some confusion around the regulations at the time about what was deemed to be suitable material to be used. Important lessons have been learned and more robust testing and checking of materials that go into any home in the country is now

carried out. The Council accepted and acknowledged the inconvenience caused to its residents for more than two years. Now that the cladding has been replaced, the Council is looking at additional measures both internally and externally to ensure the safety of its tenants.

- The priority now was for all tower blocks to have a repair service in place, whereby quarterly checks are carried out floor by floor to ensure that every issue with the building was carried out promptly to make sure the buildings are 100% safe.
- Although proof of the original decision to use the type of cladding on the Hanover block couldn't be found, a later email revealed that it was used due to the profile of the building, which was different to the other tower blocks around the city.
- It was acknowledged that the investigation and report back to the Council had taken far too long and that in future, if reports are asked for, they should be time limited. Once the investigation was underway, it became apparent that expert opinions were necessary, which added delays to the production of the report and the Council have tried to communicate and meet with residents.
- The Council has tried to meet with and keep residents informed as much as possible and acknowledged that more could have been done, however lessons have been learned from this. It was fortunate that, although there had been small fires in the tower block, there hadn't been a spread of the fire in the building. A Project Group has been set up to work closely with the TARA and residents to ensure the correct cladding was used and this was working well.
- Following guidance from the Government and the Fire and Rescue Service, the Council has ensured that the replacement cladding used was a better product and far safer than previously used.
- There are six tower blocks within the city that have defective cladding, but these are privately-owned and the Council is constantly in communication with the Government for assistance in dealing with this. The Fire and Rescue Service carry out regular risk assessments on these buildings, and if a problem was found if a building was unsafe, the building would be closed. The Council was speaking to the owners of these blocks and the Cabinet Member receives monthly reports on the safety of these blocks.
- The Council and the Fire and Rescue Service use collective powers to ensure those living in private sector housing blocks are safe. Fire risk assessments are in place and where any serious hazard to the cladding is found, the Council takes steps to ensure that such cladding is removed. The Council and the owners of the private buildings have been working together to remove risks. The Council has been working directly with the Government on the development of future regulations, and one of the issues to be raised was leaseholders who were facing significant bills to

see what assistance could be provided to them. The Council was also ensuring that private building owners were aware that Government funding was available to them to help fund and replace the cladding on their buildings. There are around 100 high rise buildings in the city and there had been very few serious issues in those buildings. The Council works closely with lettings agencies and management agencies and puts in place risk management systems.

- There is a Building Safety Bill White Paper being produced to alter building regulations, to review the building inspectorate regime to change building controls on buildings, but this was in its early stages and will take time to go through the legislative process.
- The report had taken much longer to write than it should have done but it became clear during the investigation that an external assessment of the material collected was necessary to consider if there were any grounds for taking legal action against any party. External solicitors were appointed in February 2019 and their findings were known in February 2020. In order to preserve the Council's legal position in relation to any potential claims against third parties, the report could not be published. Further information was received from Lovell that needed to be considered. Considering this material and finalising the report would have been completed earlier but was delayed due to the Council's response to Covid-19.
- The funding the Council received from Homes England to replace the cladding, was contingent upon the Council not having a claim against another party and the Council had to obtain evidence to satisfy Homes England that it was entitled to the funding.
- Following the Grenfell tragedy, Members, the Fire Service and Council officers visited residents of tower blocks offering reassurance. The Council then arranged to have the cladding tested immediately and provided every household in those blocks with as much information as possible so that they knew what was on their building. The results were that Hanover and three brick blocks had been found to have had defective cladding fitted.
- As part of the housing investment, regulations are being tightened up. The Council is commencing consultations on the installation of sprinklers, replacing fire doors, looking at additional fire precaution measures, and looking at how to engage with residents to let them know what is planned for their buildings. The Project Group meetings are important for this. The Council will get out and meet as many residents as possible and find different ways of engagement so that residents have a say and make sure that they know that any recharges are reasonable.
- There are things that owners of private blocks can do, tribunal of overcharge, grant assistance, approach the Council, etc., and the Council is happy to help and point them in the right direction and offer quality advice.

- The Council is trying to promote different ways of working. For example, when operatives go into buildings to carry out repairs, the Council will be asking them to look around them and check if there are any other jobs that need carrying out which might not have been reported and to carry out other small repairs.
- The Council is going to establish a High Rise Tenant and Leaseholder Forum and will be inviting tenants to participate in that, which will be wide ranging looking at fire safety, managing waste, etc., to make high rise living the best it can be. The Council is also starting work on resident engagement strategies and will have a dedicated team to get the right information to residents informing them what and why things are done within their blocks.

6.11 RESOLVED: That the Committee:-

- (a) thanks Janet Sharpe, Jill Hurst, David Hollis and Councillor Wood for their contribution to the meeting;
- (b) notes the contents of the report and the responses to the questions; and
- (c) felt that there should be time limitation for reports to be submitted; if there are delays, officers should be invited to attend a meeting of full Council to explain the reason behind such delays and ensure that information is communicated in different languages.

7. WORK PROGRAMME

7.1 The Committee received a report of the Policy and Improvement Officer (Deborah Glen), attaching the Committee's Work Programme for 2020/21. She stated that there were a number of items to be considered but only four meetings were scheduled for the remainder of the municipal year. She asked Members for their views and any items they considered should be prioritised.

7.2 RESOLVED: That the Committee approves the Work Programme as detailed in the report and agrees that the Fire Integrated Risk Management Plan be considered at the next meeting and asked that the following items be prioritised:

- Social Housing
- Homelessness
- Housing Repair Service during Covid

8. DATE OF NEXT MEETING

8.1 It was noted that the next meeting of the Committee would be held on Thursday, 10th December, 2020 at 5.00 p.m., in the Town Hall.