



OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of the Overview and Scrutiny Committee held on Monday July 13 2009 at 6.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Fiona Colley (Chair)
Councillor Jane Salmon
Councillor Toby Eckersley
Councillor John Friary
Councillor Barrie Hargrove
Councillor Adedokun Lasaki
Councillor Richard Thomas
Councillor Lorraine Zuleta

EDUCATION REPRESENTATIVES: Colin Elliott, Parent Governor

OTHER MEMBERS PRESENT: Councillor Kim Humphreys, Deputy Leader

OFFICER SUPPORT: Jon Abbott, Elephant & Castle Project Director
Doreen Forrester-Brown, Legal Services
Eleanor Kelly, Deputy Chief Executive
Victor Olisa, Metropolitan Police Services
Julie Seymour, Planning Policy & Research Manager
Andy Snazell, London Fire Brigade
Jonathan Toy, head of Community Safety
Peter Roberts, Scrutiny Project Manager

1. APOLOGIES

1.1 Apologies for absence were received from Councillor Veronica Ward.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

2.1 The chair had asked for an urgent briefing to the committee on the response to the fire at Lakanal House.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

- 3.1 Councillors Toby Eckersley, Richard Thomas and Lorraine Zuleta reported that they had been members of the executive when decisions were taken in respect of Stead Street but that this did not represent a prejudicial interest. Councillor Adedokun Lasaki reported that he had been present at the meeting of Tenants Council when it had considered the proposal for a scrutiny of resident involvement.

4. MINUTES

RESOLVED: That the Minutes of the open sections of the meetings held on April 20, May 18 and 20 and June 1 2009 be agreed as a correct record.

5. BUSINESS REPORT 2008/09

- 5.1 The report was deferred.

6. WORK PROGRAMMING

- 6.1 The chair reported that the judicial review of the Downtown planning application was complete. The committee agreed to devote its October meeting to a scrutiny of issues around the application process and to hold its meeting in the Rotherhithe area.

7. CALL-IN: HEYGATE REPLACEMENT HOUSING SITES FINAL REVIEW (MAJOR PROJECTS BOARD JUNE 18 2009)

- 7.1 Luke Miller, Friends of Nursery Row Park, addressed the committee. He questioned the proposal to build a separate community facility replacing the church hall, and hoped that consultation would be carried out and include other sites where the hall could be built. He also questioned the decision to remove Pocock Street and Welsford Street from the list of early housing sites and the impact of this on the proposed site for the hall. Members clarified that no consultation had been carried out on the revised Stead Street plan. The Elephant & Castle project director stressed that the full residue of the Stead Street site, including the hall, was necessary in order to meet the targets of the core strategy.
- 7.2 In respect of Nursery Row Park, the Elephant & Castle project director clarified that it was necessary for the council to negotiate with the owners of the church hall. The hall currently had an entertainments license which the Roman Catholic Diocese was keen to retain and there would be problems with integrating this into a residential development. The best solution would be a stand-alone site and the site identified was considered as best meeting the requirements. The revised proposal excluded almost the entire park. Future consultation would be at the stages of pre-planning application and formal submission of the planning

application.

- 7.3 Gerry Flynn, Elephant & Castle resident, was of the view that Heygate tenants depended on the early housing sites to get any benefit from the regeneration scheme and that many of these tenants would not move into new homes. He was not sure that the numbers of new socially rented housing units planned would be enough to replace the units lost through demolition of the Heygate. He questioned the reduction in total number of units, the numbers planned for the core site and asked why only eleven sites currently had funding from the Homes and Communities Agency (HCA).
- 7.4 Richard Lee introduced himself as an Elephant & Castle resident, a user of local parks and shops and a member of the Elephant & Castle Amenity Network. He queried the amount of socially rented housing the council had asked the HCA for and whether the council had approached the HCA to ensure that socially rented housing was included on other private development sites. Richard Lee indicated support for excluding the parade of shops on Rodney Road from the regeneration plans, commenting that they were all occupied, flourishing and meeting local need. He also expressed the view that equality impact assessments were needed for each individual site.
- 7.5 Councillor Kim Humphreys, deputy leader, circulated tables showing projections of housing figures for the Elephant & Castle opportunity area and early housing sites. He highlighted that the proportion of socially rented housing units on Elephant & Castle sites going forward had increased and that the number of sites in the Elephant & Castle area had increased. The deputy leader was confident that the target numbers for socially rented housing would be met. He and officers gave detailed clarification of the figures in response to Members' questions. The deputy leader also explained that intermediate housing provided an important element in the mix of housing, especially in providing the opportunity for people to invest and leading to a good mix of population in the area.
- 7.6 Some members questioned the reality of development on all sites set out in the tables, particularly those not in council ownership. The deputy leader clarified that these sites had been identified through the strategic housing land availability assessment (SHLAA) process. The planning policy & research manager explained that, as part of the core strategy process, all developers and land-owners had been contacted and comments on the sites invited. In September information on all sites would be brought back to Members. The council's aim was to produce targets for 2011/2021 and it was required by statute to set further housing targets until 2026. In response to members' concerns, the deputy leader explained that detailed consultation on sites would happen at the later stages of planning applications.
- 7.7 In response to further questions, the Elephant & Castle project director explained that the figure of 45% social housing referred to at paragraph 7 of the report to the major projects board related solely to the Elephant & Castle housing programme. The deputy leader stressed that affordable housing in Southwark was not only being built at the Elephant & Castle and that significant numbers of tenants were moving into the new development at Bermondsey Spa. A number of tenants did not want to move into new housing because they wanted to remain council tenants; new properties were developed by registered social landlords (RSLs). The deputy

leader confirmed that tenants could access not just the elephant & castle housing sites but also potentially new RSL developments within the footprint of the existing estate when it is redeveloped.

- 7.8 Councillor Humphreys also drew attention to paragraph 14 of the report to the major projects board which clarified the decision to exclude 98-104 Rodney Road from the scheme. Some members took the view that the row of shops was not the best use of space and that excluding the row at this stage meant that it would lose out on the opportunity for redevelopment and lead to a less satisfactory regeneration scheme.
- 7.9 Members were concerned that lessons could be learned from the experience of residents moved from the Heygate and suggested that an independent survey be carried out. The deputy leader responded that lessons had been learned and stressed the success of moves to new homes off the Old Kent Road or in the Bermondsey Spa area. Less than one hundred families remained to be re-housed and at this stage no evictions had been necessary. Unlike the Peckham Partnership development, there were no squatters on the Heygate and a lot had been done to counter fear of crime. The deputy leader explained that the majority of tenants remaining were being re-housed by direct offers. A significant number of leaseholders remaining were either becoming tenants again or were close to agreeing terms.
- 7.10 Members asked how much social housing grant the council had asked the homes and communities agency (HCA) for. The deputy leader indicated that this went beyond the Heygate and included phases two and three of the Aylesbury estate. It was necessary to identify schemes which fitted the various initiatives run by the HCA. The elephant & castle project director reported that a three year funded programme across a wide number of sites had been discussed with the HCA.
- 7.11 Members also asked how mixed the community at the Elephant & Castle would be. The deputy leader responded that the intention was to change the elephant & castle from only a major transport hub and into a destination, by providing things to attract people to the area. The HCA had given the council ideas about the composition of blocks in terms of achieving a sustainable community which included private, intermediate and socially rented housing.
- 7.12 Members sought clarification of the position if the major project board's decision was not taken. The deputy leader explained that RSL partners would not be comfortable proceeding on this basis. Specifically, the Elephant & Castle project manager stated that if the council were to proceed with Rodney Road and initiate a compulsory purchase order then potential partners would not want to indemnify the costs of this. Members asked what would happen to Stead Street if the whole of Nursery Row Park were removed. The Elephant & Castle project manager explained that, unless an alternative site for the hall could be agreed with the Roman Catholic diocese, in the range of thirty units would be lost. In addition, it would be difficult to develop only the part of Harper Row in council ownership. The Welsford and Pocock Street sites would be potentially valuable sites once the market developed.
- 7.13 Members debated whether or not to refer the decision back to the major projects

board for reconsideration. Some members took the view that targets could still be met without building on any of Nursery Row Park and that the major projects board could be asked to save the park in its entirety. Other members were of the opinion that the decision of the major projects board allowed proper regeneration of the site. After consideration it was

RESOLVED:

That the decision of the major projects board not be referred back and accordingly that it could be implemented with immediate effect.

- 7.14 The committee went into closed session in order to receive an update from the deputy leader in respect of ongoing discussions with Lendlease. The deputy leader assured the committee that there would be an opportunity for the committee to challenge the process and that a report would be brought to a future meeting.

8. OFFICER BRIEFING TO SCRUTINY MEMBERS ON FIRE AT LAKANAL HOUSE

- 8.1 The deputy chief executive extended the council's deepest sympathy to the family and friends of people who had died or lost their homes in the fire at Lakanal House. She thanked the emergency services for their response and thanked colleagues at the Red Cross, neighbouring boroughs, hospital and tenants' organisations. The council was in the process of ensuring that other residents were safe and was supporting the police and fire authorities in investigating how the fire had started and how it had spread as it did.
- 8.2 In response to questions, the London Fire Brigade representative explained that as a matter of course all operational decisions made on the day would be examined with a view to identifying any lessons to be learned and establishing how the fire developed and how it was dealt with. The results of this would be made open. Members asked whether, if particular problems were detected at any early stage, interim measures would be taken immediately and not have to wait until the conclusion of the investigation. The London Fire Brigade representative clarified that interim measures to reduce risk in Marie Curie House had been agreed with the council. Councils across London had been asked to review and inspect their housing stocks as a priority. The deputy leader confirmed that no time would be wasted if any necessary works were identified. The deputy chief executive added that the council was undertaking a programme of fire risk assessments on all its blocks and had brought in private expertise in order to complete the programme by the end of the week.
- 8.3 The representative of the police reported that senior level discussions were taking place in order to establish a specialist unit to take over the police investigation. This would allow local officers to continue with other work. The London Fire Brigade representative explained that the fire brigade would be supporting the police investigation, in terms of providing scientific advice.
- 8.4 Members asked how any risk issues identified would be communicated to other local authorities and housing associations. The deputy chief executive commented that in the press a lot of emphasis had been placed on single access stairwell

blocks but emphasised that at this stage this had not been identified as a contributory factor in the Lakanal House fire. It was the responsibility of a central government department, in collaboration with the fire brigade, to disseminate information to other housing authorities and the council was co-operating fully with them. The London Fire Brigade representative added that the fire had been fought from the single stairway at Lakanal House and that the integrity of the staircase was not in question. The fire had behaved, internally and externally, in a way that had not been anticipated and it was essential to ensure that any conditions contributing to this were not replicated in other blocks. The government had appointed a Chief Fire & Safety Advisor to take an overview of the circumstances of the fire, look at the result of the investigations and share lessons nationally.

- 8.5 Members were concerned as to when residents would have access to their possessions. The head of community safety explained that the police investigation team had begun the process of retrieving essential items and that to date thirty flats had been entered for this purpose. Members also asked where residents were being housed and what counselling or other support was being made available. The deputy chief executive reported that seventy-nine Lakanal households had been housed in emergency B&B accommodation, the remainder were staying with family or friends, and that significant housing resources were in place and working to provide longer term solutions. As of Monday July 5 all Homesearch advertising had ceased, housing assessments were being carried out and some offers had already been made. The aim was to get Lakanal residents back into the borough. A counselling service had been made available.
- 8.6 Members asked when information would be available about the costs to the council resulting from the fire and to what extent these would be mitigated by insurance policies. The deputy chief executive explained that this would depend on the findings of the fire investigation. A record was being kept of expenditure including any capital works that resulted.
- 8.7 Councillor Martin Seaton asked if the experience of previous fires on Sceaux Gardens was being taken into account as part of the investigations. He asked if the number and position of fire exits would meet current fire regulations. The London Fire Brigade representative responded that all previous fires would be taken into account but commented that none of them had behaved as had the recent fire. The lay-out of Lakanal House allowed two escape routes and was built to the standards applicable in 1959. The practicalities of improving to current standards were enormous. The Fire Brigade representative explained that home fire safety visits were regularly offered to residents to educate them about what to do in case of fire.
- 8.8 Members asked that ward councillors and the tenants and residents association be kept up to date as to the progress of investigations and re-housing of residents. Members also asked how the process of grants and donations was being managed. The deputy chief executive explained that the current intention was to put together a group including ward members and tenant representatives to prioritise and allocate money received. Legal officers were looking into the structure of donations and any benefits that could be obtained by forming a charity.

The meeting ended at 10.10pm.