



## Questions from Members of the Public

### Full Council – 18 September 2023

1. **Question from Martin Francis to Councillor Promise Knight (Cabinet Member for Housing, Homelessness & Renters Security)**

The following list of questions pertain to the Building Safety Act that received Royal Assent in April 2022 and the requirements for landlords, including local councils, therein. 'Buildings in Scope' refers to those buildings under the Building Safety Act, that are high-rise residential buildings that are 18 metres tall or higher, or at least seven storeys, with two or more residential units that are defined as 'higher-risk'.

Across England there are approximately 12,500 of these buildings and the new regulator required all of them to be registered from April 2023, with a named person responsible for maintaining their safety. The registration process is a crucial stage in setting up the new building safety regime. Registering buildings in scope will be a legal requirement and owners and managers who fail to comply by October 2023 will be investigated and may face prosecution.

On this basis, could the Cabinet Member for Housing, Homelessness and Renters Security provide address following questions in relation to the Council responsibilities:

1. Does the council know the details of the residents who cannot evacuate without help, or those whose first language is not English as part of any emergency arrangements in each of the 40 buildings in scope?
2. Can you describe the details of the construction methods in each of the buildings in scope?
3. Can you provide the access and means of escape, including travel distances, in all the buildings in scope?
4. Can you identify all the Building Safety risks in each of the buildings in scope?
5. Can you provide the maintenance and inspection schedules for every building in scope using The Golden Thread of information? [LINK](#)
6. Can you set out the emergency plan for each building in scope, including their evacuation strategy?

7. Please set out your complaints system and that how you will operate an effective mandatory occurrence reporting system?
8. Are you now able to publish a risk assessment for each of the buildings in scope?
9. Do all fire doors in every building in scope meet the full standard of fire prevention?
10. Do you know if any of the buildings in scope have any structural issues and can you provide full details of the utilities they use and if any of them impact on common parts of the building, or evacuation plans? Does fire stopping meets the appropriate standard so that compartmentation is not compromised?
11. Have you identified the 'responsible person' for each block?

**Response:**

**Question (1)** The council has previously undertaken work to proactively identify tenants living in our high-rise blocks who cannot evacuate without assistance in event of an emergency. The information the council received as part of this work is currently being reviewed. When tenants whose first language is not English are identified, the council records this and will make reasonable adjustments.

**Question (2)** The construction method for each of the High Rise blocks is in the Fire Risks Assessment (FRA) for the property and is included in the Building Registration information provided to London Fire Brigade (LFB) and the Building Regulators. Furthermore, this information is contained in our asset database.

**Question (3)** The access points and means of escape are clearly set out in all of the buildings. Travel distances in the buildings complied with the Building Regulations current at the time the building was constructed.

We also have wayfinding information conspicuously displayed in all our blocks that provide access and means of escape information as well as direction/fire escape routes out of the property.

**Question (4)** The Fire Risk Assessments for each building identifies all safety risks which are being actioned in the required timescales.

**Question (5)** All maintenance and inspection schedules/records are on our New Compliance asset compliance management database. All new build blocks in scope are following the Gateway process.

**Question (6)** All information in regard to emergency plan and strategy are provided as part of the building registration with LFB and the fire strategy for each block is displayed in the lobby area in each block.

It is also imperative to highlight that our buildings are generally stay put for purpose built blocks unless there is a communal alarm system in place, and simultaneous evacuation for converted street properties.

**Question (7)** The Council's principal accountable person for our occupied higher-risk buildings is working on establishing and operating a suitable system for the investigation of relevant complaints.

Mandatory occurrence reporting is designed to help report structural flaws and fire risks that might arise at any point throughout the life cycle of a building and can cause catastrophes.

We are working to develop a suitable system(s) that will cover the following requirements:

- Introducing a more reliable reporting system that complements RIDDOR and voluntary occurrence reporting regimes.
- Strengthening the golden thread (or the digitally stored collection of information about a building and its safety).
- Boosting residents' engagement to improve the accuracy and frequency of fire and structural risks.

**Question (8)** All our Fire Risks Assessments are available for each resident upon request.

**Question (9)** We carry out quarterly inspections of all the communal doors as well as service cupboard doors in each block, and a yearly inspection of the flat entrance doors to ensure all doors meet the full standard of fire prevention.

**Question (10)** We have carried out FRA4 inspections on all of our buildings in scope and we have identified any structural defect or issue in our buildings and we are confident that the fire stoppings in all our High-Rise properties meet appropriate standards of compartmentation.

**Question (11)** All our FRAs has the detail of the responsible person for each block.

2. **Question from John Cox to Councillor Harbi Farah (Cabinet Member for Safer Communities and Public Protection)**

What steps have been taken, and will be taken, to shield Brent residents in Harley Road NW10 from the noise of nearby mechanical diggers dropping thousands of tonnes of spoil from High Speed Two into empty steel railway wagons, for it to be taken to other parts of the country?

The spoil currently comes from the HS2 station excavation at Old Oak Common and in future will also be from HS2 tunnels dug westwards towards Greenford and eventually eastwards towards Euston.

The noise, which happens continuously around the clock, is created on the HS2 site in Ealing, but the harmful effect is in Brent.

As a result, can the Cabinet Member for Environment, Infrastructure and Climate Change advise:

1. If that is the reason why no noise barriers or other measures were ever insisted on by Brent and when did Brent first get informed of the matter by HS2 Ltd, or by Ealing, or by the Environment Agency?
2. What nature, duration and acoustic level does Brent consider acceptable to its residents?
3. What action can Brent take in response to the concerns raised.

**Response:**

HS2 Willesden Euro Terminal works have received formal consent under Control of Pollution Act 1974, from Ealing Council.

Brent Council were notified of these works due to the proximity of residential units on Harley Road. HS2 operates the HS2 Ltd [Public Helpdesk](#) 24 hours per day, 7 days per week for the duration of the works, to manage all complaints, handle enquiries and coordinate incident response.

**3. Question from Charlotte Child to Councillor Krupa Sheth (Cabinet Member for Environment, Infrastructure and Climate Action)**

Why are the residents of Cavendish Road, Willesden Lane and The Avenue NW6 finding it impossible to get a pedestrian crossing put on the busy and dangerous junction.

It is a popular school/nursery route and there are daily problems with vehicles and pedestrians and yet the council has claimed they don't have the funding to do much more as change the phasing of the traffic lights to allow time to cross. With large building developments planned for either corner, the pedestrian foot traffic is only set to increase.

Can a crossing be put in before there's a fatality?

**Response:**

There are traffic signal junctions in Brent and indeed across London that do not have a pedestrian crossing phase. Pedestrians therefore need to cross the arm of the junction when the signals are red and proceed with caution as there may be vehicles turning.

Providing a pedestrian phase at this junction would require a study, traffic modelling and approval of a scheme by Transport for London who are responsible for the management of traffic signals. Consideration would be given to the capacity of the junction and the impact that an 'all red' pedestrian phase would have on traffic and particularly bus journey times.

This would require a significant investment by the Council and the main source of funding for road safety is through Transport for London. There is limited funding and resources available and therefore the Council needs to prioritise locations in consideration of accident records.

According to our records, there have been 3 slight injury accidents over the last 6 years, 1 involved a pedestrian on Saturday 31/07/23. This indicates that whilst this junction is more difficult to cross, pedestrians do so with caution and as a result there has been no history of pedestrian collisions.

Officers are aware of developments in the area and will continue to monitor road safety at this location. Arrangements have been made for this location to be considered for inclusion in a future programme. Improvements would be programmed should this location be prioritised and funding secured.

4. **Question from Naishadh Patel to Councillor Neil Nerva (Cabinet Member for Public Health & Adult Social Care)**

My understanding is that people are not being discharged from hospital due to unavailability of care provision in the community yet companies with good and above ratings with the CQC who are interested in providing this care do not appear to have been offered the work.

Can the Cabinet Member therefore advise:

1. How companies who are able to offer care provision services are able to express an interest and get on the list to provide these type of services?
2. How companies, where there are concerns regarding their ratings, are monitored and if necessary suspended or removed from the list of providers in order to eliminate any potential harm to clients.

**Response:**

Brent does not currently have delays to hospital discharges as a result of unavailability of care provision. There is sufficient homecare and reablement provision available in the borough to support people home from hospital, and also meet the needs of those in the community receiving care.

Providers are appointed to provide care for the council based on an open tender exercise. Brent carried out a homecare provider tender in 2020/21, where the council's lead homecare providers were appointed. A tender is currently in progress to appoint up to 20 providers to join Brent's homecare framework. This was advertised on Find a Tender service, Contracts Finder service and the London Tenders Portal. Brent's Adult Social Care Commissioning Team has also undertaken a significant market warming exercise with providers to make them aware of these opportunities, including arranging bespoke support for local providers on applying for tenders with the council. Over 40 providers attended workshops in relation to this, and over 170 providers bid for this tender.

Similarly, the tender process for reablement services is ongoing, and new providers should be appointed in October of this year. The process for engagement ahead of the reablement tender mirrored that for the homecare tender.

The Adult Social Care Commissioning Team has a robust quality assurance process. The team works with providers to maintain standards and improve CQC ratings where appropriate. As part of this process, we maintain strong working relationships with the CQC and use our contractual default process and procedure with the failing providers if required.