

**Written evidence submitted by Andrew Brookes, Anthony Gold Solicitors LLP (BSB47)**

**Building Safety Bill – Resident Engagement**

I write as the solicitor to Shahid Ahmed, a survivor of the Grenfell Tower fire and a core participant in the ongoing Grenfell Tower Inquiry.

These submissions relate to s120-s126 of the Bill.

The Building Safety Bill is a child of the Grenfell Tower fire and the committee needs to carefully consider not only the Phase 1 report but in particular the evidence that has come out in the ongoing Phase 2 of the Inquiry.

The Committee might suggest that some of the following is more relevant to the Social Housing White Paper 2021. In response to that I would say:

1. “Building Safety” is relevant to all occupiers, whether tenants or leaseholders and;
2. There were 14 leasehold properties in Grenfell Tower and the evidence of the leaseholders, particularly Shah Ahmed as chair of the Grenfell Tower Leaseholders’ Association (GTLA) is very pertinent.

I have attached as an annex extracts from two documents, both of which are publicly available on the Grenfell Tower Inquiry website:

1. Extract from Module 3 opening submissions by Mike Mansfield QC headed “The Chronicle of Shah Ahmed.”
2. Letter from GTLA dated 3 September 2010 setting out fire safety concerns at Grenfell Tower (NB nearly seven years before the fire).

**Issue 1**

**Consultation of Leaseholder Associations**

GTLA was recognised by RBKC and the TMO but in practice was deliberately marginalised and sidelined. GTLA should have been able to take advantage of the enhanced rights to be consulted as a recognised tenants’ association within the meaning of s29 Landlord & Tenant Act 1985 but in practice was not. The Bill does not include any provision to strengthen the duty to consult leaseholder associations. This is a major omission. The Bill could enhance s121 by providing that relevant building safety information be provided to any recognised tenants’ association on demand. Despite the imposition of a new Building Safety Charge there are no new or enhanced rights for recognised tenants’ associations to be consulted.

**Issue 2**

**Provision of information and consultation where a project is not subject to service charge.**

The leaseholders in Grenfell Tower were not served with s20 Notices because the council landlord decided they were not legally entitled to recover the cost through the service charge.

The Bill as drafted recognises that there are occasions where a landlord will not be entitled to recover Building Safety Costs through the service charge, for example because the landlord can recover the monies from a third party such as an insurance company (see proposed new s20D at

s124). Because the Grenfell leaseholders were not consulted pursuant to s20, they lost a valuable opportunity to scrutinise and comment upon the disastrous refurbishment project. The proposed s121 of the Building Safety Bill gives leaseholders enhanced rights to information when demands are served. This does not plug the gap. Leaseholders should be able to positively demand information on Building Safety and any works which may affect Building Safety, even if they are not being asked to pay for them. This could be done by an amendment to s121.

### **Issue 3**

#### **Independent reports on Building Safety.**

S20 Landlord & Tenant Act 1985 as currently drafted in certain circumstances allows leaseholders to obtain their own independent estimates for works. I assume this will also be the case for Building Safety Costs. The difficulty often faced by leaseholders in this situation is that they neither have the commercial nor technical expertise to source and obtain estimates. In relation to Building Safety charges, this could be tackled by giving leaseholders an additional right on being consulted to obtain a report on the proposals, initially at the landlord's expense, but such costs then being part of the relevant costs and re-chargeable as service charge. This would give leaseholders a more pro-active role in Building Safety. As shown starkly in the Grenfell Tower Inquiry, where GTLA asked for but was refused an independent report, such a report may save lives. As Michael Mansfield QC said in his opening submissions, residents themselves are experts in their own building.

### **Issue 4.**

#### **Gas and other utility works carried out by statutory providers**

One issue that has emerged clearly in Grenfell is that there is insufficient control by Building Safety Managers of works carried out by gas and other utility providers, who have a statutory right to carry out works. In Grenfell, this resulted in a new gas main being run through the single escape stairway which, in the opinion of an Inquiry-appointed expert, was in breach of Building Regulations. The bill should make it clear that the Building Safety Manager has overall responsibility for all building safety aspects, by expressly including overall responsibility for gas and other utility works.

### **Issue 5**

#### **Proposed new s2A to the Defective Premises Act 1972**

The proposed S2A extends the scope of the Defective Premises Act to include alteration works to "relevant buildings". The duty applies to a person who in the course of a business takes on work in relation to any part of a relevant building. While this is no doubt designed to apply to builders and architects etc., it should be made clear that this would also apply to statutory undertakers of utility works such as gas repair works. One of the lessons which has emerged out of Grenfell is that utility providers also carry out works which affect Building Safety.

Yours sincerely

**Andrew Brookes**  
**Anthony Gold Solicitors LLP**

## APPENDIX 1 – EXTRACT FROM THE MODULE 3 OPENING BY TEAM 2.

### SECTION 4. THE CHRONICLE OF SHAH AHMED<sup>26</sup>

81. The GT community is one of remarkable diversity and collectivity. It is as potentially invidious to select one story as it is complicated to try and encompass all and we have highlighted Mr Ahmed's experience which can be said to reflect that of the many and especially the imprint of points contained in the previous 3 sections and common experiences of the residents of Grenfell Tower.

82. Mr Ahmed, with his wife Sayeda moved into flat 156 on the 15<sup>th</sup> floor (post refurbishment renumbered 81<sup>th</sup>) as RBKC tenants on 13<sup>th</sup> April 1992. Their son Zaki was born the same year. They remained associated tenants until 11<sup>th</sup> October 1999 when they signed a leasehold agreement with RBKC under the right to buy scheme. This means the Ahmed family had 25 years of experience by the time of the fire, 21 of which is with the TMO.

83. What needs to be appreciated is that well before the 'regeneration' project KCTMO had a pattern of behaviour highly relevant to the fundamental shortcomings underlying the causes of the fire. Whatever the Council proclaims, in practice nothing changed. Warnings and suggestions were not taken seriously. This was reflected in the Memoli report commissioned in 2009 into the longstanding complaints.

<sup>23</sup> R (Lewis) v HM Coroner for the Mid and North Division of Shropshire [2009] EWCA Civ 1403; [2010] 1 WLR 1836

<sup>24</sup> See submissions on behalf of BSRs represented by Birnberg Peirce, Deighton Pierce Glynn, Duncan Lewis and Saunders Law

dated 2 July 2020

<sup>25</sup> R (on the application of Maughan) v Her Majesty's Senior Coroner for Oxfordshire (2020) UKSC 46; Chief Coroner's Law

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<sup>26</sup> Mr Ahmed's witness statement can be found at IWS00001335\_0001-0138 hereafter all references will merely employ the last 4

digits.

84. The report's 34 recommendations make necessary reading as a precursor to the period of the refurbishment and fire. The top recommendation was both prescient and crucial - to establish an independent process of mediation/conciliation to build relationships between aggrieved residents and the TMO especially where they have broken down irretrievably. <sup>27</sup>

85. The Council's conditioned response to the report was one to which residents had become accustomed - an unwillingness to accept the majority of criticisms, indicative of a culture of institutional indifference.

86. On 30<sup>th</sup> April 2010 a fire at Grenfell Tower raised serious questions about fire safety. Although starting on the 6<sup>th</sup> floor landing, smoke spread up rapidly and Mr Ahmed's wife suffered injury. Numerous residents were affected and complained to the TMO. Their pleas for an investigation into the fire's cause and compensation was sidelined. In response to the Council and TMO's culture of indifference, Shah Ahmed founded the Grenfell Tower Leaseholders Association (GTLA) to help challenge this culture and neglect with a collective voice. Of the 120 flats, 15 were leasehold, of which 3 were Housing Association. (Shah Ahmed is concerned that the Housing Association is not a CP).

87. Once established, the GTLA wasted no time in articulating the numerous unresolved shortcomings which included the heating system, fire doors, 4-year delay in windows replacement posing a risk to health and safety and, on 28<sup>th</sup> July 2010 in a letter to Geoff Payne (KCTMO Head of Housing Leasehold Services) the list was extended to malfunctioning lifts, ineffective concierge services and fire safety concerns arising out of the fire in the block on 30<sup>th</sup> April 2010.

88. Despite being officially recognised, KCTMO ignored and deliberately sidelined GTLA and the opportunity for a productive relationship with them was missed. It was quite clear that KCTMO did not like organised groups such as GTLA which might challenge and hold them to account. *"We asked the TMO to treat us as an asset and work positively with us but, this did not happen."*<sup>28</sup> The Council's obdurate intransigence provoked a direct approach to the TMO's CEO (appointed in spring 2009).

89. An unforeseen accident is bad enough, but a foreseeable disaster is unforgivable.

90. Between 2010 and 2017 GT residents<sup>29</sup> regularly raised a catalogue of significant issues including: Repeated requests for an independent health and fire safety review, proper consultation from planning stage onwards, an effective complaints process, prompt action to rectify deficiencies relating to fire/smoke alarms, smoke vents and extraction; emergency lighting, signage for floor numbers and fire safety, fire drill, evacuation, tenants booklet, lifts, staircase, fire doors, windows, heating, securityconcierge, LFB inspections, testing (condemned fire extinguishers) and maintenance, electrical power surges, gas pipes into flats and communal areas.

91. All of these have a bearing on fire safety and demonstrate RBKC and TMO's culture of indifference towards and neglect of the Grenfell residents and Lancaster West Estate. The discernible pattern of

<sup>27</sup> IWS00001462 0043.

<sup>28</sup> IWS00001335\_0008 para17

<sup>29</sup> IWS00001335\_0045-0075 paras 134-216

response tends to be an initial denial of fault, followed by delay, then a minimising of fault ending with either delayed or deficient rectification. These are all matters to be investigated by the Inquiry.

92. Power surges: It has been contended that they are not relevant because they play no part in the fire on 14<sup>th</sup> June 2017. However, the power surges demonstrate RBKC's attitude to health and fire safety and the residents' complaints which are undoubtedly relevant to causation.

93. The power surges in spring 2013 resulted in damage to several residents', including Shah Ahmed's, electrical appliances. Items such as white goods, computers and lighting exploded, literally went up in smoke, an alarming and fearful experience, naturally invoking the risk of fire. Repeated requests for an emergency meeting were ignored, liability was denied initially and then minimised as it was claimed only 7 resident complaints were received. Numerous representations were made to the TMO, through councillors (principally Judith Blakeman), to MPs and a petition gathering 94 signatures.<sup>30</sup>

94. What the residents did not know was the contents of a report by RGE Services on 29 May 2013 stating:

*"The tenants above floor ten were reporting smoke issues, lights, and power failing intermittently.*

*General condition of these sub-mains Pasolini bus bar covers have been damaged or were missing and live parts exposed on all Ryfield boards to floors 11 - 20. Remedial works are urgently required*<sup>31</sup>

"

95. Such a deplorable state of affairs cannot have appeared overnight and suggests inadequate fire safety inspections in the first place. The whole situation for residents was compounded by a formal complaints system not fit for any purpose other than diffusing and delaying. GTLA found the complaint system was just a mechanism for closing complaints off. It was byzantine, cumbersome and long-winded. Very few succeeded, let alone were resolved. For these reasons GTLA decided to ensure its points were circulated as widely as possible. Not only to the Council, councillors, individual officers, but also to MPs and others. If, however, a point was raised by a councillor, it would not be registered as a complaint but as a member's request. That is one reason why the complaints system itself does not reflect the true state of dissatisfaction, compounded by some complaints being registered as service requests.

96. There were 3 stages, a Scrutiny Committee and panels. It was not uncommon for a complaint to be broken down into segments requiring separate consideration. Additionally, the threshold for KPI was set so that a fault or service would have to be seriously defective before it was registered. The TMO would therefore write reports commending themselves on their achievements.

97. Matters came to a head once more for GTLA and others in the weeks before the fire itself, with works for the introduction of exposed gas pipes in the communal parts especially the staircase and thence into individual flats. This was done without consultation with residents and gave rise to legitimate fire safety concerns. Residents wanted reconsideration, an independent fire safety review and reassurance. Was there a fire safety certificate? Would pipes be boxed in? The risk of leakage? Was compartmentation

<sup>30</sup> paras 106 - 133 ... 0037-0045.

<sup>31</sup> ZUR00000025.

breached particularly in relation to entry into flats? Were the seals round pipes adequate? Would effective residents escape and fire brigade access on the staircase be impeded?<sup>32</sup>

98. Once more, like the surge saga above, this is about the Council's attitude to potential risk in spring 2017.

99. Throughout March and April, the GTLA contacted the TMO, local housing officer Millicent Williams, Cllrs Blakeman and Mason, Housing Ombudsman, local MP, Minister for Environmental Health, Collette O'Hara at the LFB and many others. GTLA's main demand remained an independent health and safety review. They continued to pinpoint the gas pipes' location and raise issues about noise in the new cladding and broken lifts. GTLA were not reassured by Laura Johnson writing: *"RBKC would never put the residents of our housing at risk"*<sup>33</sup>

100. Meanwhile back at the Council positions were entrenched with Laura Johnson commenting on 21<sup>st</sup> 8<sup>th</sup>:

April: *"What on earth can we do with this now. **If** they wish to take legal action then that is their prerogative and we look forward to receiving notice from whomsoever they appoint."*<sup>34</sup>

101. The obvious answer expected by the residents: A timely, full health and safety inspection of the physical aspect of the premises including structural problems as requested by GTLA, instead of prevarication and obstruction might have avoided residents paying the ultimate price for the Council's negligence with their lives.

APPENDIX 2 – LETTER FROM GTLA TO KENSINGTON AND CHELSEA  
TENANT MANAGEMENT ORGANISATION DATED 3 SEPTEMBER 2010

[SEE BELOW]

**Grenfell Tower Leaseholder Association**

c/o 92 Grenfell Tower

Grenfell Road

London W11 1TG

Robert Black

Chief Executive

Kensington & Chelsea TMO

292a Kensal Road

London W10 5BE

3<sup>rd</sup> September 2010,

Dear Mr Robert Black,

Cc

Mr. Anthony Parkes (Director of Finance)

Mr. Daniel Wood (Head of Home Ownership)

Councillors Sir Merrick Cockell & Judith Blakeman

Ms Sacha Jevans (Director of Customer Service)

We received a written response dated 20<sup>th</sup> August 2010 from Mr. Daniel Wood from the Head of Home Ownership. However, we were expecting a direct response either from you or Mr. Anthony Parkes. We have chosen to respond to you directly instead of Mr. Wood for the simple fact you originally made the commitment to look into our issues and concerns.

Mr. Wood, in effect, refuted and flatly ignored our long suffering and serious issues. This demonstrates as Head of Home Ownership he is not aware of the reality of the situation at Grenfell Tower and is out of touch as to what is going on. It seems he has based his response on what appears to be common answers.

If we simply take the issue of block aesthetics, it is clear to see how Grenfell Tower has been neglected for decades. The letter we received indicates that the TMO does not adhere to its promise of being a tenant-led organisation. We are quoting an article written by Reg Kerr-Bell from your magazine the 'TMO Link' in relation to the redecorations programme ***"some properties in the portfolio appear to have had no investment in them for a considerable amount of time...I have been surprised by the state of some of our homes"***.

When compared with other blocks such as Dixon House, the blocks on the Edward Woods Estate and other tower blocks in surrounding boroughs, Grenfell Tower is in serious need of a face lift. The words of Mr. Wood do not reflect fact at all and he is being seriously unreasonable in relation in trying to fulfil the responsibilities of the TMO.

We find it upsetting to find out that your colleague considers our genuine issues and concerns as ***"more a question of 'reasonableness', rather than law"*** and we intend to receive a more fair and just response. This letter has three elements:

Firstly, we will further address matters relating to service charges and how the TMO has chosen to protect their commercial interest above and beyond any other commitments.

Secondly, we will argue that the recent fire at Grenfell Tower has raised so many Health and Safety issues with the building that it demands an independent investigation and enquiry into the safety of the building.

Lastly, we will raise a few points about the proposed school.

We are fully committed to resolve every issue we raised in our letter dated 28<sup>th</sup> July 2010 amicably, because it is do with our homes, well beings, health and safety and above all unnecessary financial hardship imposed on us.

## Heating and meter readings

We requested that you install a pay-per-use meter to read the individual heating consumption for each individual household. We believe and re-iterate that it is practical and required for a meter to be installed if heating charges are to resemble anything like a fair payment. In its current state we can all conceivably bear the heating consumption of just a few families with the majority of tenants in the building not using the heating system. How can that be justified?

Going back to Mr. Wood's statement ***"more a question of 'reasonableness', rather than law"***. He states in this section of our letter ***"You correctly state that it is a requirement to have a meter read usage and this is in place, however, the reading is for the central plant itself. It is neither practical nor required to install meters in each dwelling"***.

A family of three in a household will use less heating than a single occupant, due to many issues, but the fact of body heat being the obvious example, so it is unfair for them to bear extra heating costs that they are not using. On the flip side a single occupant will use less hot water than a family of three but pays the same amount which again is unfair. The 'reasonable' solution would be to pay for what you personally use; and not for what others use.

Mr. Wood then states in the Final Accounts Adjustment section that ***"significant debits are invariably a result of increase in gas prices which are outside of the TMO's control"***, understandably the TMO does not set the gas prices but then surely; which Mr. Wood now seems to have now contradicted himself; having a meter in each dwelling would make it 'practical' for each tenant and their individual service charges more reasonable.

Your approach towards our issues and concern has aggravated the whole thing and has served no purpose in resolving the underlying problems at Grenfell Tower. At this stage it is our humble request that you and your team look into the matter as sincerely and honestly as possible and are willing to attempt to improve the quality of life of the residents and make this your utmost priority. Grenfell Tower needs to be modernised in line with the requirements of the 21<sup>st</sup> Century. It is by no means impractical to suggest to the TMO to install meters for each dwelling.

What you seem to be suggesting is that you have provided us with the radiators and regardless of whether we use them or not we have to pay for them. This is totally beyond what constitutes as just. At the moment the TMO engineer has turned off the main heating system as always during summer season yet why do we continue to pay heating charges? We need to receive a full refund for all the excessive heating charges we have paid over the duration expired of our lease.

We request you and your team to visit Grenfell Tower and conduct your own survey and see for yourself whether the unbearably hot conditions at Grenfell Tower are a reality.

## **Safety, security and reception services**

The security guards based in Grenfell Tower for a number of years are not doing their duty to the full by any means. We can assure you that we are not getting value for money and if you were to conduct a survey of all the households living in Grenfell Tower on whether they thought the security guards fulfilled their duty, the feedback would not be positive.

The incident of the fire at Grenfell Tower is a perfect example of how the security guards are inept at fulfilling their duty. When the fire alarm was ringing in the reception area and the lift was automatically out of service, the security guard was unaware of what was happening. She did not advise people to avoid using the staircase and did not take control of the situation. We are confident that if you were to review CCTV footage of the event you would be able to note the fact that she actually opens the door to provide access to the staircase for a resident of the building to use the staircase to reach his flat. This is despite the fact the staircases were filled with smoke, but she was oblivious to this fact. So one can imagine the seriousness of the situation; she put an individual's life in danger and this resembles serious negligence by the incompetent security staff and the TMO has to bear the responsibility.

As you know the estate office is based at Grenfell Tower yet during the weekdays and office hours rubbish has been left in the lift and the EMB has failed to use CCTV footage to catch the perpetrators. Furthermore, when trespassers enter the building via the side-staircase and get involved with various anti-social activities what action does the security guard take? A patrol log should be written noting any such behaviour and reported to relevant authorities; the log should also raise any health and safety issues such as raised flooring, dry risers being blocked or any general maintenance work. Now half the time there is no one at the reception; so how are the CCTV monitors manned as required? We need to be notified of the outcome of the review of the service offered by the security company.

All sorts of objects are being thrown out of the window by some of the residents of Grenfell Tower. This raises serious health and safety concerns and it has been reported to the EMB office on many occasions to find out who the culprits are. The council and TMO has installed CCTV cameras which we had to bear the cost of, but as far we have concerned no action has been taken to use footage to gather who the culprits are. Despite CCTV cameras, the EMB are depending on residents & members of the public to tell them who the perpetrators are. Why does the EMB not have time and the manpower to look into the CCTV footage? Why did they invest our money into installing the CCTV cameras in the first place? This raises questions over the management of the TMO and their motives.

Notice of proposal dated 26<sup>th</sup> April 2009 reference TMO/MW1937 awarded a contract to Silk & Mackman services for: Contract 1-maintenance & repair of door entry systems and CCTV for £166,732 for five years. As we mentioned your CCTV and the security guard and the EMB put together couldn't see or find who left the seriously filthy rubbish bag inside the lifts on 24<sup>th</sup> March 2010 and the residents all reported to the estate office and yet they concluded that CCTV footage wasn't clear or wasn't working on that day. In relation to entry door system as far as the leaseholders is concern we all have same old entry system since day one. So we need to know how much you have spent on CCTV so far and we also need to see the invoices with corresponding tangible evidences.

In contract 2- the maintenance and repair of estate and communal lighting of £343,350, seems to us to be a huge amount of money for the maintenance and repairs of estate and communal lighting systems. The indoor electrical cabling system has been replaced by the TMO to every household apart from the leaseholders of the building. Again we need to see how much you have spent so far and we need to know which area of Grenfell Tower is considered as estate lighting.

## Consultation and summary of costs

As we mentioned in our earlier letter we must be consulted in detail in relation to any major work S20 1985 Landlord & Tenant Act and Commonhold & leasehold Reform Act 2002-Section 153 service charges(summary of right and obligations, and transitional Provision) ( England) Regulations 2007.

We need to be notified of proposed works on the building that will cost more than £250 per household. We need to know this information in order to justify whether the costs have been reasonably incurred.

## Lifts

As we mentioned in our previous letter, prior to 2005 the suffering of the residents due to lift malfunctioning was caused by inadequate services and maintenance provided for by the TMO. We agree 100% that it was right to replace the lifts when their useful life came to an end. What we are unhappy about is your choice of contractor which was hired to carry out the work. Every resident is aware of the fact it took about a year and half to replace the two lifts. It did not take a prolonged period of time because the contractors were attempting to increase the capacity of the lift. The reason it took so long to complete the job was that a single person carried out the work on his own. Again if you want to conduct a survey in relation to the inconvenience caused by your poor management in relation to the installation of the new lifts you can do so. It is premature to make a comment not knowing the fact and the overwhelming residents are aware of what actually happened.

We were also shocked to hear that your lift engineers have told you that the response time for lift repairs is normally 2 hours and 4 hours during out of normal hours. This is simply not the case. We have experienced a lift being out of service for a week, far from your suggested 2 or 4 hours response time.

With that said and going back to the previous comments regarding the security reception services, at any time any of the lifts have been out of order and people stuck inside there has hardly ever and quite possibly never, been a lift engineer to get the trapped people out. The fire brigade has been called and they then deal with the situation. This is not only a waste of the service charge money, by not using the relevant lift contractors and paying for incompetent security, but a waste and drain on the resources of the London Fire Brigade.

In relation to inspection of the lifts, it is quite incredulous that you have based your opinion of the state of reception area and lifts on one convenient day. Simply because on that particular day there was no evidence of rubbish or urination does not mean that it has not happened in the past and in fact it is a regular occurrence. Residents have complained and reported to the EMB on numerous occasions that smelly rubbish filled with raw food was left in the lift. There was a day when residents of the Grenfell Tower could not even use the lift due to the smell from the rubbish left in the lift. This event was known to the EMB and they were asked to find the perpetrators, yet they have failed to do so and claimed that the CCTV wasn't working properly. This is yet another instance of incompetence.

The new lift was installed about five years ago, resulting in hefty bills for the leaseholders, but if you look at the condition of the lift now they look as if they have been used for over 20 years. They are in dire need of maintenance. Half the buttons no longer light up, the inside of the lift is scratched in several places and the doors of one lift takes a lot longer to close than the other. This is all due to poor maintenance and misuse of the lifts by unwelcome visitors repeatedly pressing the buttons out of anger. The most annoying thing is the estate office

based on first floor can see what is going on, yet on every occasion they have failed to take proper action.

## **Garden Maintenance**

We need know and identify where 9624.07 square meters of garden actually is and whether it belongs to Grenfell Tower. We are very surprised to hear that Grenfell Tower supposedly has a garden, since as far as we are aware there is one dying plant in front of reception that belongs to the Tower. We never knew we have such a big garden.

## **Common Parts Electricity**

We would like to see the corresponding invoices and costs associated with common parts electricity.

It is understandable that areas that are not naturally lit will need lighting; such as the fire escape and chute room. Is it not a conceivable and reasonable idea to put motion sensor lighting in the chute rooms and in the in between landings of the fire escape stairwell? That way the chute room light will only come on once it is in use, then 20 or so floors will have lighting 24 hours a day throughout on their stairwell with the in between floors being lit only when in use; this would not only help the leaseholders financially; but also be more environmentally friendly?

## **Final Accounts Adjustments:**

We like to see the breakdown of the costs rather than just a round figure which is annually adjusted so we know where the increment took place and why.

## **Fire Alarm and Health and Safety**

We are very shocked to learn from you that you considered the defects in the building exposed by the fire as a minor fault when it had potentially fatal consequences. The minor fault caused so much damage to individuals living in Grenfell Tower it is difficult to image how serious an event has to be for you to consider it a major fault. If the fire alarm system is not functioning and the vents are not working then it should be considered no doubt as a major fault. They are used as measures to save lives; so if they are not working then obviously you are endangering the lives of residents of the building. What's more, we are certain that out of 120 families living in the block, no-one is aware of the evacuation procedure. We have never had an evacuation procedure booklet sent to us for the past 36 years. Is it not necessary by law, to test the Fire Alarm and associated equipment on a regular basis to check whether the system is fully functional?

Many people did not hear the fire-alarm on the landings from inside their homes. When the fire brigade came knocking, many residents complained to firemen that they did not hear the alarm and so were not aware of the fire in the building. On the next day, when an engineer came to write a report on the fire-alarm system, one of the residents of the building asked the engineer what he was doing. He replied that he was writing the same report about the mal-functioning fire-alarm system that he had written over three years ago, and that nothing

had been done for three years. As residents of this building, we found this revelation extremely worrying and it is a clear demonstration of your lack of attention, with potentially devastating consequences. As you know fire does not kill as much as the effects of smoke and to our knowledge some of the residents nearly died due to smoke inhalation and suffocation. On top of this, many residents found the whole experience traumatic and mentally damaging. If we compare the incident to a similar fire which broke out at a White City estate in the Borough of Hammersmith and Fulham, with the incident reported in the news, a helpline was immediately set up by the Council. In contrast, the Royal Borough of Kensington and Chelsea and TMO did not feel obliged to introduce a similar helpline.

The staircases of the surrounding high rise buildings are exposed to open air and natural light and so in case of a fire the smoke can easily escape. But Grenfell Tower with its interior staircase and malfunctioning ventilation system, there is certainly a high probability that in the event of another fire, the whole building can become an inferno. Furthermore, should a fire occur in the staircase of Grenfell Tower, there will be no escape route for the residents as and rightly so the lift will be out of service. This raises serious health and safety issues and could trap the residents of building in a fire with no escape.

We have also noticed immediately after the fire the TMO installed a new fire alarm system but we are not sure if it is fully functional because so far there has not been any testing known to residents of the Grenfell Tower. Why has the TMO replaced the fire alarm system immediately after the fire when you claim it was a minor fault? In addition, if you are able to install a fire alarm system so hastily, then the same can be done with installing heating meters!

The TMO issued a tender in relation to maintenance & repair of fire safety equipment to RGE services for £52,372.50 and date of the notice of proposal was 28<sup>th</sup> April 2009. We need to see what sort of maintenance work was carried out from 28<sup>th</sup> April 2009 towards the repair of fire safety equipment and the invoices with corresponding tangible evidences.

The residents of Grenfell Tower have been treated as sub-human and your handling of the incident has been unacceptable.

## **Proposed School**

With the proposed school due to be complete by 2014 what rebate will we get as residents especially the leaseholders due to the noise and mess from the building works that will ensue? Along with personal parking; there is also an issue for visitors parking. Where will they be able to park and if it is after 1.30pm on a Saturday there is nowhere for them to park for free?

Surely we will be getting a reduction in service charges seeing as the 18,266 metres squared of grass, shrubbery and hard standing will not be there anymore; with that said we do not reckon that £7132.80p represents **'good value for money'** seeing as there are weeds on the hard standing surfaces, shrubs overgrown and grass that needs maintaining!

## **Roof renewal Works**

The residents have been complaining about the leakage from the roof top for the last 15 years and you failed to take any action until recently. Due to the negligence of the TMO, residents at 20<sup>th</sup> floor went through unnecessary suffering and had to use buckets to catch water. On September 2008 the TMO decided to carry out works and scheduled for 16 weeks for the work to be completed. In the initial stages the Contractors used their own temporary lift attached to the side of the building to carry the materials to the roof top. They did it for a

couple of weeks and then something may have gone wrong and they stopped working. A few months later they came back again to complete the work, but started using the main lifts to carry their heavy materials including hundreds of bags of raw materials and in that process damaged the two lifts. They used the lifts so much that they reduced the useful life of the lifts.

It is quite apparent that the policy of the TMO is to wait for things to get to the worse possible state before they decide to take action. Another instance of this is the wooden frame at the entrance of the building which is in need of a little varnishing and repair to return it to its original state. But it has been left in a bad state, perhaps intentionally so that the TMO can raise another tender for its repair to of courses squeeze off of our money.

## **Flooding**

There are no routes for excessive water to escape from the building in case of accidental flooding. This became clear when the fire brigade used excessive water to control the fire which left a bad smell in the building as a result of the flooding. Also when there was a leakage from the hot water pipes, as is well known to the EMB, this also caused bad smells throughout the building due the damp from excessive water.

## **Conclusion**

The TMO has twisted the lease agreement in their favour to bully and harass the residents of the Grenfell Tower in order to make profit. This is while, on virtually every occasion providing sub-standard services and this is an experience shared by every single resident of this building.

It is imperative that the TMO reduces the ridiculously elevated heating charges of £900.00; the system in place is totally unfair and unlawful. We expect installation of heating meters in every household of the leaseholders on which payments will be based, as well as a full rebate for the months in which the heating system is turned off and yet we still pay.

To keep our options open to any eventuality, we would not hesitate to contact housing ombudsmen, LVT, local councillors, local MP's, and the media to look into the whole saga going back 36 years to expose how the council and recently the TMO has neglected Grenfell Tower as compared to other estates in the area. Our problems need remedying not simply an out of touch response. This must be done without further delay.

You have imposed unnecessary costs on us unnecessarily and it is imperative that you offer a refund for the provision of sub-standard service which has resulted in untold years of suffering. Furthermore, this building is in dire need of modernising and immediate action needs to be taken. We suggest that new windows be installed since the old aluminium frames leak water and are very difficult to open.

We look forward to your response with in 14 days.

Yours Sincerely

Grenfell Tower Leaseholder's Association

Name

Signatures

Nicholas & Pily burton Flat 165

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Tunde Awoderu Flat 185

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Mrs M A Mott Flat 92

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Manuel Miguel Ferreira Alves Flat 105

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Taye Kabede Flat 195

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Shahid Ahmed Flat 156

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S N Patel Flat 56

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Mrs M. Metalls Flat 61

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