

From: Earls Court Tenants Association

To: The Hon Sir Martin Moore-Bick, Grenfell Tower Inquiry, Royal Courts of Justice, WC2A 2LL.

Your Lordship, Re.: **Submission on Terms of Reference.**

Thank you for extending the period of time for the above consultation. I plead that the Terms of Reference include the wider social issues of the local authority's conduct. Although an electrical fault was the actual physical cause of the Grenfell Tower fire, the scale of the tragedy is fundamentally created at root by a crisis in housing policy. A BBC radio 4 programme "The Affordable Housing Crisis" in May 2015 was based on our efforts to expose RBKC council's inadequate housing provision: the public are robbed of over 2,000 homes.

The fire on 14 June 2017 spread fast because of the flammable cladding, which was only made possible by the weakening of building regulations, ignoring safety, and no sprinkler system. The response to the disaster by RBKC council was negligent. Our organisation sincerely hopes that the remit of the Public Inquiry into Grenfell will look at the way tenants, including those who warned of the catastrophe, have been treated and ignored, and are the victims of the housing crisis, whether through too few new homes being built, or estates being 'regenerated' – a euphemism for demolished - at the tenants' expense. The council could capacitate tenants, not threaten legal action.

I spoke in objection at nearly every RBKC Major Planning Development Committee meetings between 2006 and 2012, when there was a planning-frenzy bonanza. The ability to grant planning permission is the greatest power a local council ever has. In RBKC there is a studied indifference to the needs of less advantaged residents. There has been a gradual erosion of the RBKC council's obligation to conform to adopted policy and The Mayor's 50% required Affordable housing provision in new schemes during the last twenty years.

Our pressure group made representations on the major residential schemes planned in the western periphery of the Borough. In the 1996 Ujima Housing Association-partnered Russell Road scheme (alongside the Olympia station platform), the 50% target was fulfilled, and the social housing is indistinguishable in design from the market housing. The 1997 Shaftesbury Place estate, above the Tesco megastore, comprises worthy alternate social-rent blocks with shared-ownership blocks. But in the 1998 'Kensington West-side,' 185 Warwick Road, the entrances to the affordable housing are marginalised "poor-doors" at the rear, in contrast to the luxurious main entrance to Warren House. There is no on-site Affordable Housing provision in the 700 bedspace 2006 Apartment scheme, 183 Warwick Road, whatsoever. There was a progressive over-willingness of RBKC council to collude with the developers of the four major sites within the "Warwick Road Planning Brief" of 2007, and the huge 100 West Cromwell Road scheme, which only our 'people power' toppled an oppressive 27 storey Tower to a current more acceptable 13 storeys, after seven planning proposals.

The former Charles House, 375 Ken High Street, is the last in the "Warwick Road Planning Brief", and where the first stream of the Grenfell disaster survivors are scheduled to be rehoused. The same architectural firm acted for the developers, as produced the RBKC Brief masterplan. The quality of the green space and living environment of the Charles House site scheme has steadily significantly decreased since originally approved, through a dozen variations and amendments, without public consultation. Our comments were met with threats of a libel suit.

The Grenfell survivors are to take up the originally designated quota of affordable housing; thus the homeless of the Borough are effectively paying for the consequences of the disaster. The housing density has been allowed to exceed the maximum acceptable level in The Mayor's London Plan. What was envisioned in the Planning Brief, is not what has been built. The lack of input from the Mayor's Office has led to community segregation and unsustainable communities, with a high density agenda. Planning guidelines should raise aspiration for the area, protect the interests and concerns of real residents, rather than those who see the area as an investment opportunity.

A full page article in the 23 October 2007 Evening Standard, and the local paper's front page of 18 October, trumpeted the "Warwick Road Model Eco-centre development", with promises of self-generated power, outdoor playing areas, a 5 GPs clinic, bicycle route, and advice centre; none of which has materialised. In fact the area has transformed into the polar opposite, with Eco-home code level ratings of 3, or worse. Surrounding residents are offended by the massing of box-like

buildings “dark in the evenings, with no-one living there.” RBKC council is associated with the corrosive proliferation of ‘Luxury Investment Properties’ - “Safety deposit boxes in the sky.”

People found themselves at ease in the social-mixed classical predominantly low-rise architecture of Kensington, and resent the RBKC council’s recent wrong priorities, doctrinal obsession with gentrification, by conniving with developers for over-development. The RBKC Strategy policies lay blame on the cuts in the successive governments’ Housing Investment programme funding. The government should set rules requiring landlords ensure their properties are fit for human habitation.

Our association fully participated in the immense £12bn Capco Earls Court Project, which is now universally denounced, and under Mayoral Review. The RBKC planning dept policy document of April 2009 declared to “unravel” the dreaded Earls Court One-Way System barrier, and committed to an “Area Action Plan”, with “boulevard treatment to the A4 corridor”, and “provide a balanced and mixed community,” a “Cycle Link and permeability,” and “streetscape improvements to Earls Court Road.” All that was pure fiction. Then, incredibly, the developer’s own architect Terry Farrell’s masterplan featured in the RBKC “Opportunity Area Supplementary Planning Document,” which pronounced the demolition of 760 family council homes. It is a shame that the RBKC planning officers were politicised; they should have exercised independent judgment.

The public consultation on the premature Capco planning application absurdly coincided with the consultation on the RBKC guidance, causing confusion. As things stand, there will be zero affordable housing provision, although the District Valuer Services’ viability critique, which RBKC council strenuously concealed for over two years, revealed that 40% was manifestly achievable. There is a violent radical disjunction between the rich and poor housing.

The RBKC council were consciously dishonest, and associated with the financial backers of the first phase of the unsound Capco Project, who were jailed for corruption. It would not escape your notice that associations do not typically have the resources to file papers for four Judicial Reviews against an authority, persevere to an Information Commissioners Office third stage Tribunal Appeal, join petitioners opposing the opacity clause in the Joint Venture Scheme, which would have become Law in Parliament, and submit an “Unlawful State Aid Complaint” to the EU. It is common knowledge that the Local Government Ombudsman is partial, and rarely investigates complaints against RBKC council. So there was a divisive absence of normal checks and balances.

The RBKC authority admit that their approach is only a response dictated by the Inspectorate’s judgments. But they have heavily relied upon developers’ arguments; for instance, the super-high density of the Capco Earls Court Project was supported by the hypothetical improvements to the Public Transport Accessibility Level, for which the developers themselves would have been solely responsible. RBKC readily waived their own policy for an Affordable Housing viability Dynamic Review Mechanism, in recommending the Capco Earls Court planning consent. The Planning Officer’s Reports to committee mislead the public with false evidence; they cheat by copying directly from developers’ proposals. Can you wonder why residents have no confidence in anything RBKC council says? It is severely detrimental that the council’s words count for absolutely nothing.

Accordingly I beg to submit that the scope of the public Inquiry cover the collapse of an integrated RBKC housing policy, and its disdain for tenants; in order to restore confidence that the vulnerable can be seen to be treated fairly. I am happy to furnish the evidence supporting the above statements. The public Inquiry may not be able to deal with these issues in its interim report.

I assume that the Inquiry will deal with an examination of the failure and improper role of the K & C TMO, which is technically really an ALMO, and who managed the Grenfell Tower. The ‘Right-to-Buy’ of council properties, without replacement, enacted by the more motivated, has left residual concentrations of the less organised. In August 2015 the RBKC council announced a fund to buy accommodation outside London, to drive tenants out. Council housing should not be a derided way of living; RBKC council should promote respect, and value key-workers by using its ample financial reserves to invest in a house-building programme.

Our association would like to be kept informed of the Inquiry’s work please.