



COUNCIL SUMMONS

THURSDAY, 24 JUNE 2021

GWYS Y CYNGOR

DYDD IAU, 24 MEHEFIN 2021,

SUPPLEMENTAL PAPERS

Item	Description and Page Number(s)
14	Notice of Motion & Amendments (3) <i>(Pages 5 - 16)</i>

Davina Fiore
Director of Governance & Legal Services

County Hall
Cardiff
CF10 4UW

Friday, 18 June 2021

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NOTICE OF MOTION

MOTION

PROPOSED BY: Councillor Saeed Ebrahim

SECONDED BY: Councillor Huw Thomas

AMENDMENT 1 TO MOTION

PROPOSED BY: Councillor Neil McEvoy

SECONDED BY: Councillor Keith Parry

AMENDMENT 2 TO MOTION

PROPOSED BY: Councillor Adrian Robson

SECONDED BY: Councillor Shaun Jenkins

AMENDMENT 3 TO MOTION

PROPOSED BY: Councillor Rhys Taylor

SECONDED BY: Councillor Rodney Berman

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COUNCIL

24 JUNE 2021

MOTION 1

Proposed by: Councillor Saeed Ebrahim

Seconded by: Councillor Huw Thomas

This month marks the 4 year anniversary of the Grenfell Tower disaster in which 72 people tragically lost their lives.

Cardiff Council acted swiftly to ensure all Council-owned high rise buildings were safe, whilst Welsh Government have also acted to enable Registered Social Landlords to do the same.

However, the situation for privately owned high-rise remains unresolved, and the cladding scandal has also exposed other defects affecting private high-rise development, including the absence of appropriate fire compartmentation, other ineffective fire-stopping measures, and unsafe balconies, with many buildings, including in Cardiff, requiring 'waking-watch' regimes in place to ensure residents' safety in the event of fire.

The introduction of EWS1 forms, without sufficient numbers of qualified engineers to carry out inspections has further exacerbated the issues faced by residents living in high-rise accommodation.

These arrangements have clearly impacted on the mental wellbeing of the residents who, through no fault of their own find themselves unsure if their homes is safe, with their lives placed on hold. They also face a significant financial impact, with residents struggling to get insurance for their properties, owner-occupiers falling into negative equity and unable to sell their property, and residents facing the possibility of having to fund the costs of making the good the defects to their properties themselves, despite having purchased their properties in good faith.

This Council therefore –

- Endorses the principle that Leaseholders did not create the issues that have been identified and believe that they should not have to pay to rectify these issues.
- Welcomes the recommendations of the Welsh Government's Building Safety White Paper, and calls for its enacting as legislation as quickly as possible, with additional support provided in terms funding and resources to deliver its objectives.

- In doing so, but recognising the time required to prepare legislation, also believes that there are a series of urgent actions should be enacted straight away, including
 - The rapid establishment of Joint Inspection Teams to undertake an audit of affected buildings with funding made available to address the defects identified
 - Investment to increase the availability of qualified surveyors able to issue EWS1 certificates.
 - An accelerated testing process for new cladding
- Further calls on Welsh and UK Government to work jointly to bring developers to the table so that a wider funding package can be created to resolve the issues that continue to affect the lives of residents in high-rise buildings in Cardiff and across the UK. Requests the Cabinet to explore how developers who have unresolved cladding and building control issues can be better held responsible for their obligations through planning policy and by Shared Regulatory Services

And

- Further asks Cabinet to consider what additional support could be provided to affected residents

COUNCIL

24 JUNE 2021

AMENDMENT 1 TO MOTION

Proposed by: Councillor Neil McEvoy

Seconded by: Councillor Keith Parry

Add at the end of the motion add the following:

- *furthermore, this Council resolves to set up a political action group made up of 1 councillor from each political group, chaired by an opposition councillor, which will work with residents groups to achieve recourse.*

The Council calls on the Executive to consider a report to set aside £250,000 from the County general reserves to seed fund legal action against the building companies, if satisfactory recourse is not agreed by the Action Group and the building companies by 16th September 2021.

Cardiff Council calls upon other Councils in Wales and the Welsh Government to contribute to the newly created legal fund. It is essential that we stand up for our citizens.

In the public interest, Cardiff Council will make available the as built, original drawings on all buildings which are affected, or are said to be affected by the safety scandal.

The Amended Motion will read as follows:

This month marks the 4 year anniversary of the Grenfell Tower disaster in which 72 people tragically lost their lives.

Cardiff Council acted swiftly to ensure all Council-owned high rise buildings were safe, whilst Welsh Government have also acted to enable Registered Social Landlords to do the same.

However, the situation for privately owned high-rise remains unresolved, and the cladding scandal has also exposed other defects affecting private high-rise development, including the absence of appropriate fire compartmentation, other ineffective fire-stopping measures, and unsafe balconies, with many buildings, including in Cardiff, requiring 'waking-watch' regimes in place to ensure residents' safety in the event of fire.

The introduction of EWS1 forms, without sufficient numbers of qualified engineers to carry out inspections has further exacerbated the issues faced by residents living in high-rise accommodation.

These arrangements have clearly impacted on the mental wellbeing of the residents who, through no fault of their own find themselves unsure if their homes is safe, with their lives placed on hold. They also face a significant financial impact, with residents struggling to get insurance for their properties, owner-occupiers falling into negative equity and unable to sell their property, and residents facing the possibility of having to fund the costs of making the good the defects to their properties themselves, despite having purchased their properties in good faith.

This Council therefore –

- Endorses the principle that Leaseholders did not create the issues that have been identified and believe that they should not have to pay to rectify these issues.
- Welcomes the recommendations of the Welsh Government's Building Safety White Paper, and calls for its enacting as legislation as quickly as possible, with additional support provided in terms funding and resources to deliver its objectives.
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And

- Further asks Cabinet to consider what additional support could be provided to affected residents
- furthermore, this Council resolves to set up a political action group made up of 1 councillor from each political group, chaired by an opposition councillor, which will work with residents groups to achieve recourse.

The Council calls on the Executive to consider a report to set aside £250,000 from the County general reserves to seed fund legal action against the building companies, if satisfactory recourse is not agreed by the Action Group and the building companies by 16th September 2021.

Cardiff Council calls upon other Councils in Wales and the Welsh Government to contribute to the newly created legal fund. It is essential that we stand up for our citizens.

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COUNCIL

24 JUNE 2021

AMENDMENT 2 TO MOTION

Proposed by: Councillor Adrian Robson

Seconded by: Councillor Shaun Jenkins

Add new bullet point after “Shared Regulatory Services”

- Notes that previous monies provided to Welsh Government from Westminster (via the Barnett formula) to help leaseholders tackle issues with cladding and fire safety systems were spent elsewhere and calls for any additional sums to be put into a fire safety fund accessible to Welsh leaseholders.

The Amended Motion would read as follows:

This month marks the 4 year anniversary of the Grenfell Tower disaster in which 72 people tragically lost their lives.

Cardiff Council acted swiftly to ensure all Council-owned high rise buildings were safe, whilst Welsh Government have also acted to enable Registered Social Landlords to do the same.

However, the situation for privately owned high-rise remains unresolved, and the cladding scandal has also exposed other defects affecting private high-rise development, including the absence of appropriate fire compartmentation, other ineffective fire-stopping measures, and unsafe balconies, with many buildings, including in Cardiff, requiring ‘waking-watch’ regimes in place to ensure residents’ safety in the event of fire.

The introduction of EWS1 forms, without sufficient numbers of qualified engineers to carry out inspections has further exacerbated the issues faced by residents living in high-rise accommodation.

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And

- Further asks Cabinet to consider what additional support could be provided to affected residents

COUNCIL

24 JUNE 2021

AMENDMENT 3 TO MOTION

Proposed by: Councillor Rhys Taylor

Seconded by: Councillor Rodney Berman

Before *This Council therefore add*

This Council regrets that the Fire Safety Bill:

- Provides weaker protections and support for leaseholders or tenants in buildings less than 18 meters high.
- Does not prevent the owner of a building from passing the costs of any remedial work on to leaseholders or tenants of that building.

The Amended Motion would read as follows:

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