

Race on the Agenda  
c/o Resource for London  
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Solicitor to the Inquiry  
Grenfell Tower Inquiry  
The Royal Courts of Justice,  
Strand,  
London,  
WC2A 2LL

8<sup>th</sup> September 2017

Dear Sir,

**Joint Application by the 'ROTA Group' and Bramley House Residents Association for Core Participant Status**

Following our submission to the consultation on the 'Terms of Reference' of the Grenfell Fire Inquiry, this is a joint application seeking designation of core participant status for a group of core participants, hereinafter referred as the 'ROTA Group', and Bramley House Residents Association, under Rule 5 (2) (b) of the Inquiry Rules 2006. We consider that this will help the Inquiry more effectively to manage the interests of the various interested parties within the ROTA Group and the joint applicant, Bramley House Residents Association, will reduce duplication and ensure that the specific focus of the group (see below) is separately represented in the Inquiry.

The ROTA Group and BHRA seek joint core participant status because the Group and those within it and BHRA have "a significant interest in an important aspect of the matters to which the inquiry relates", in particular but not limited to the relationship between the local authority and the communities it serves (the residents of Grenfell Tower and the surrounding estates).

**The 'ROTA Group'**

The ROTA Group consists of a group of reputable NGOs and community representatives, including representatives of tenants' organisations in the immediate vicinity of Grenfell Tower who are directly or indirectly affected by the issues examined within the Terms of Reference of the inquiry, and affected tenants' organisations. The ROTA Group also includes and is assisted by a range of

academic, housing and legal experts, which enables it to provide focused, relevant and high quality submissions and assistance to the Inquiry. For convenience, this group (which may grow) will be referred to as the 'ROTA Group' of interested participants, after the lead organisation, Race on the Agenda.

The lead organisation of the 'ROTA Group', Race on the Agenda, is a race equality organisation ensuring the voices of Black, minority ethnic and refugee communities are heard at policy and practice level. The other NGOs who are part of the ROTA Group also address various equality issues.

### **Bramley House Residents Association (BHRA)**

Bramley House Residents Association is a tenants' organisation that represents the tenants of Bramley House, which is a council estate of 45 dwellings that faces directly on to Grenfell Tower and is a distance of approximately 125 metres from Grenfell Tower. Bramley House is one of the estates which are listed as affected by the Grenfell Fire and was within the security cordon established by emergency services that night. Many members lost friends and neighbours in the fire, residents witnessed the dreadful events of 14<sup>th</sup> June 2017 and were initially told that they would have to evacuate their homes as well. Some residents could not return home while others are understood to have been placed in emergency accommodation.

### **The ROTA Group and Bramley House Residents Association's focus**

In the capacity of core participants, we particularly wish to assist in the following strands of the Inquiry's Terms of Reference (ToR):

"(b) the design and construction of the building and the decisions relating to its modification, refurbishment and management"

"(c) the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings"

"(e) the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information"

"(h) the response of central and local government in the days immediately following the fire"

The ROTA Group strongly believes that in pursuing the aforementioned strands of inquiry it is essential to examine the compliance by the Local Authority and others with s.149 'Public Sector Equality Duty' (PSED) of the Equality Act 2010. This is an important legislative provision requiring public authorities to have 'due regard' to the impact their policy and practice decisions (including housing policy

decisions relating to modification, refurbishment, and management of buildings) have on those who share protected characteristics i.e. race and ethnicity, disability, age.

The residents of Grenfell Tower and the surrounding estates are predominantly Black, Asian and Minority Ethnic (BME) and therefore are disproportionately impacted by decisions made by Royal Borough of Kensington and Chelsea in relation to housing policy and practice. Decisions relating to modification, refurbishment and management of the building would also need to have considered the impact on those who share the protected characteristics of gender, disability and age.

In relation to ToR (b) we wish to assist The Inquiry to ascertain whether adequate Equality Impact Assessments were carried out, as required by the PSED, when making decisions relating to modification, refurbishment and management of Grenfell Tower. BHRA has a significant interest in ensuring this line of inquiry as it has implications for the current and future safety of tenants of Bramley House and other estates within the borough of Kensington and Chelsea. Bramley House Residents Association has important relevant evidence on this matter as to the conduct of RBKC and the TMO in the years before the fire, on the day of it and in the aftermath. This includes a consistent failure to consult with tenants and residents on many matters of concern or relevance to them, including those that affect directly their safety and health. Since the fire, this pattern has continued. They have, for example, been told that allocations policies have changed but not been consulted about these changes.

In relation ToR (e) we wish to give evidence on the fact that the Local Authority failed to carry out an adequate Equality Impact Assessment when making planning decisions in relation to building the Academy which led to the fire brigade being unable to access Grenfell Tower on the day of the fire.

In relation to ToR (h) we wish to assist the inquiry to examine the central and local government's compliance with the PSED in decisions they made in response to the fire in the days immediately following the fire. The duty requires having due regard to the three 'General Duties' in all decisions made by public authorities. We wish to suggest lines of questioning and question witnesses to the Inquiry on the Local Authority's failure to do so immediately following the fire, and its continuing failure to have due regard to the three 'General Duties'.

In examining aspects of the relationship between the residents of the tower and the local authority, we wish to suggest lines of questioning and question witnesses to examine the options for the Inquiry to propose the need to enforce the 'Socio-economic Duty' of the Equality Act 2010. This provision would have required the local authority to consider the impact of its decisions on those who are socio-economically disadvantaged, as were the residents of Grenfell Tower and nearby estates. Within the 'Terms of Reference' the ROTA Group and BHRA would also seek to assist the inquiry in examining the systemic failure to secure, without discrimination (Art 14 ECHR), the meaningful protection of the fundamental rights of tenants.

## **Legal Representation**

If designated as a core participant in the inquiry, the ROTA Group and BHRA will be represented through its own specialist leading and junior counsel and (to the extent necessary) solicitors. A separate application for legal costs will be made. The ROTA Group and BHRA, through its access to a range of bodies and persons with special expertise, and the involvement of representatives of those living within the area immediately affected by the fire or very close to it, is therefore particularly well

placed to assist the Inquiry with expert analysis and evidence on matters pertaining to the inquiry and looks forward to a favourable decision on Core Participant status.

Thanking you in advance.

Yours faithfully,

Poornima Karunacadacharan  
Senior Policy Officer  
Race on the Agenda  
For and on behalf of The ROTA Group

Samia Badani  
Chair Person  
Bramley House Residents Association  
For and on behalf of BHRA