

## **HOUSING & COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE**

MINUTES of the Housing & Community Safety Scrutiny Sub-Committee held on Tuesday 9 September 2014 at 7.00 pm at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Tom Flynn (Chair)  
Councillor Ben Johnson (Vice-Chair)  
Councillor Claire Maugham  
Councillor Damian O'Brien  
Councillor Martin Seaton  
Councillor Johnson Situ  
Cris Claridge  
John Nosworthy

**OTHER MEMBERS PRESENT:** Councillor Richard Livingstone

**OFFICER SUPPORT:** Gerri Scott - Strategic Director of Housing & Community Services  
Jonathon Toy – Head of Community Safety & Enforcement  
Eva Gomez – Acting Reducing Offending Manager  
Shelley Burke – Head of Overview & Scrutiny  
Fitzroy Williams – Scrutiny Officer

### **1. APOLOGIES**

1.1 Apologies for absence were received from councillor Vijay Luthra and his reserve for the evening would be Councillor Gavin Edwards.

### **2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

2.1 There were no urgent items.

### **3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

3.1 There were no disclosures of interests or dispensations.

### **4. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 7 July 2014 be agreed as a correct record. The Chair also stated that at the end of the meeting members will discuss which projects they will be attending and reporting back to the sub-committee.

### **5. DRAPER HOUSE - INDEPENDENT INVESTIGATION REPORT**

5.1 The chair stated that under the new rules for council meetings it is perfectly acceptable to film, audio record, photograph or tweet the public proceedings of this meeting. The chair reported that he would be tweeting parts of the meeting as it was important that we communicate with people who can not be here, in as many ways as we can.

5.2 The chair asked everyone present to introduce themselves, opened the item of business and welcomed members of the Draper House Residents Association and Claer Lloyd-Jones the author of the report. The chair then requested that she present the report to the sub-committee.

5.3 Claer Lloyd-Jones summarised her findings in a presentation. She highlighted the following points :-

- an understandable potential for conflict
- terms of reference
- findings – communications
- findings – building works
- governance and transition
- recommendations – communications/building works/governance
- conclusion

5.4 The chair thanked Claer Lloyd-Jones for a comprehensive presentation and hard work that has been put into the report and recommendations. Normally at this stage of the meeting the sub-committee members would be given the opportunity to ask questions, but on this occasion it was important to bring residents in and listen to what they have to say about the report and recommendations

- 5.5 The sub-committee welcomed Luisa Pretolani the chair of the Draper House Residents Association and asked that she address the sub-committee.
- 5.6 The chair of the Draper House Residents Association read the following representation to the meeting.
- 5.7 “As many of you will now know this programme was more traumatic, and lengthier than we could ever have imagined.
- 5.8 “After 36 months the end is in sight and we look to finally enjoy life and the estate, once this episode is over we want to focus on developing new projects to benefit the community. However we do think of residents on other estates who are maybe in the midst of a major works programme as we were for so long, and we fear the recommendations made in the independent investigation will not be implemented.
- 5.9 “Have lessons really been learned by senior council staff, whose attitude to residents was so rude and dismissive, will future officers be trained to carry out those jobs which these officers were clearly not trained to do? Will the council officers and senior management write an official letter apologising to Draper House residents for the malpractice of some officers and contractors in charge of the major works? Some of them had no appropriate experience in handling a multi million pound programme, and this is what leads to the endangering of some tenants as well as over running the programme and creating a colossal waste of money.
- 5.10 “Will minutes be taken at every meeting between residents, council and the contractors? Will elderly long standing residents with good knowledge of the area and building be listened too when they offer their experience and wisdom? What methods will the council employ to ensure that it becomes better at looking after residents? And there has still not been a resident’s satisfaction survey?
- 5.11 “To link with informing residents, I can not stress enough the way the letters are written to residents, they are very long with English which is not accessible to everyone. We have asked to be involved in writing the last letter which went out to residents which was informing them about the survey which was about to come to them. The recommendation which residents asked for was that residents be given more time to feedback to the survey, this was refused. The letter was about four paragraphs it sited a lot of rules and regulations which were completely irrelevant to anyone who needed to see survey tick box. It was a very simple survey the letter was extremely confusing and if English was not your first language you would have had some problems, or if you had learning disabilities. So the council must put at the bottom of each letter that if English is not your first language guidance will be provided if you ring this number.

- 5.12 “Despite it all residents are glad that the investigation was commissioned. Its scope was not as wide as residents had hoped for but it offered residents the opportunity to speak to an independent source about the serious problems residents had encountered during and prior to the start of the major works programme.
- 5.13 “Residents were listened to by Claer Lloyd-Jones and the resulting recommendations of the report, we believed validated residents dissatisfaction and the complaints that were often raised.
- 5.14 “Lack of communication with any clarity from Southwark council officers was at the root of nearly all of the problems. Residents were glad to see Claer’s acknowledgement of this and residents look forward to a demonstration from Southwark of its commitment to real improvement.”
- 5.15 The chair of the Draper House Residents Association reported that the last time that they attended a scrutiny meeting, residents heard council officers state that lessons had been learned and what had happened with Draper House would not happen again. Residents felt that when management were in charge of £5.5 million and the lives of hundreds of people there should be a lesson to be learned.
- 5.16 Residents felt that they were being treated like guinea pigs and were classed as less than people. Residents felt they had to teach people how to manage this situation, the only thing that never changed was during the 3 years was the strength of residents which got stronger and never gave up.
- 5.17 Residents felt that senior officers were responsible for what had happened and want to see how residents would not only be apologised too but compensated for their extreme distress they had gone through.
- 5.18 “We would also like to underline the fact that it was thanks to the extraordinary wealth, wisdom, intelligence, seniority, patience and willingness that we have amongst residents that no loss of life happened. We wonder if we did not have that will power, knowledge, stamina and put in those extra hours in to try and resolve the situation and to look after our neighbour who may be vulnerable or did not speak English as a first language or was elderly, there was a core of neighbours willing to help and this has not been acknowledged.”
- 5.19 The chair thanked Luisa Pretolani for her comments and acknowledged all the hard work, time and effort put in by residents, and asked other members of the residents association for their initial thoughts on what Claer Lloyd-Jones had said today, the recommendations and on any other points residents may wish to

raise, including the suggestion regarding setting up a monitoring group and action plan?

- 5.20 The sub-committee then heard from Susan Vericat Manager “Greener, Cleaner Draper” who agreed with all the recommendations and the highlighting of problems which were contained in the report.
- 5.21 She believed that there were a lot of problems with management procedures within the council, lack of construction knowledge and a project manager on-site who could make decisions. She told the committee she was an architect - one of the things the report was not able to go into was the actual quality of work and design decisions made, and that was where a lot of her frustrations and other residents who love the building stem from, because the quality of work being signed by the Southwark clerk of works was just not good enough and it continued up to last week – she would like to see this investigated.
- 5.22 She thought the recommendation of having members of the residents association to work with council officers and councillors to implement Claer’s ideas was good. She wanted to leave tonight’s meeting knowing that this could be set up and the DRA could be involved in nominating a couple of people to attend those meetings over the next 12 months.
- 5.23 David Holden Treasurer of DRA highlighted the communications side of the meetings that residents attended over the three year period. Residents attended these fortnightly/monthly meetings during the Breyers days and a lot of points were highlighted from the very start through the project manager that things were not going correctly and he felt residents were fobbed off.
- 5.24 When the project manager and Southwark advises residents and leaseholders what they would do next within this project and they get official letters, they follow the instructions because residents have been at the meetings and that is what the team have decided, but when Breyers were taken off site and Elkin were put on site Southwark moved the goal posts.
- 5.25 They came up with a different set of rules and regulations. He focussed on the example of the boilers - in Breyers’ time they were advised to take the boilers out if they were old. The contactors followed the instructions to the letter and this put another £4,500 onto 9 leaseholders bills. Breyers were then terminated and Elkins came on and Southwark sent a letter out to the other leaseholders on lower levels stating that Southwark would pick up the installation costs, so other leaseholders on lower floors got £1200 back off Southwark council in respect of getting their boiler removed. The communication shows there are one rule for some and another rule for others.

- 5.26 He said “it really upsets me that they have to pay an extra £4,500 onto £34,500, which does not affect me but my neighbours and residents fought hard at these meetings about communications and costs, then you go to Southwark and they say no we are sorry we have changed the goalposts and we are now offering something else to a resident or leaseholder. This breaks our hearts for all the fighting residents have had over a period of time for tenants and leaseholders, it has put me into a predicament that I owe £37,500 not £34,000 because Southwark are charging me the interest per month on top, and I asked the department if they would freeze that payment until the delays happened and I was told that I signed the document. This is Southwark’s fault and we are all in the same boat. We are paying for the design where is the design and management team this is highlighted in Claer’s report, this never happened from day one to the last day which is this week.
- 5.27 “We do not want anyone else to go through what we have been through with this major works project.”
- 5.28 Catherine Comerford – Director of Communication of DRA reported “one of the most terrifying things about this is that Draper House is a tower block and because of the inconsistencies that has been highlighted, we have a situation where some flats are probably more electrically sound than others, some flats have got a proper extraction system and others do not. Others have just had a heat system installed, I have because they offered it to me as a leaseholder for nothing, but I understand that other people have not been offered it.
- 5.29 “So we have a build that could be another Lakanal House because there are not consistent installations and I would have thought that any other major works programme in this borough, particularly high rise everybody has to have the same and there was no discussion about that as far as I could see at the very beginning, Breyer’s were not looking at who got what boiler, how they were going to organise fire safety and then they left, Elkins have done a awful lot better but it is still highly inconsistent, so a badly wired flat is still just as likely to have a fire and those of us that have the early warning system can get out but there are other people down the corridor who may not.”
- 5.30 The sub-committee then heard from Julian Adamoli – Deputy Chair of DRA who reported that the last time that the DRA attended a meeting here it was to give the council the opportunity the right to reply to the points raised at the scrutiny sub-committee last November 2013.
- 5.31 “Residents listened to council officers deliver a statement which basically said that everything that had been raised at that meeting was in hand and been dealt with communication had been re-

established and that everything was fine. Then two weeks later residents get Claer's report which says that everything is not fine and things had not been addressed, and that problems were still outstanding.

- 5.32 "After Claer's report had been issued I had the clerk of works tell me about a small issue, the box that encloses an electrical meter outside a residents property could not be put flush to the wall because that wall was warped. Since then that clerk of works has left and a new one is now in place and there was no problem they have fitted it and it is now fine, there is nothing wrong with the wall.
- 5.33 "The first clerk of works who said the wall was warped is the same one that has signed off 90% of all the works that happened in the Draper House refurbishment, if this person was prepared to take me for a idiot and state something that was so obviously untrue over something that was plain to see, what about things that were not plain to see, how many things had been signed off that should never have been signed off.
- 5.34 "Going back to the recommendations I agree that there should be some panel whereby residents, council officers and councillors could sit down and look at issues as they go through, not so much for Draper House now as we are at the snagging end of the project, most of the big work has been carried out. This will affect council tenants and leaseholders borough-wide. The recommendations that Claer has put forward is for them, just as much us".
- 5.35 Neal Purvis – Independent mediator stated that he had only been involved with Draper House for just over a month which means that he did not have all of that experience of the residents, around the process and what had happened and why it happened. The things that had hit him were the amount of energy and effort that the residents have had to put into this when they should have this from the council.
- 5.36 He said it was quite clear that in order to get to where we are today the residents had put in their effort where you would expect the council with the resources, people and professionals that you would expect they have should be able to deliver.
- 5.37 He commented that in terms of the procedures, Putting Residents First" seems to mean that it is clear and can work, what is missing is putting it into practice – he thought that Claer's recommendations would help to focus on taking that procedure and taking the next step and making sure what is actually put into practice is something that will have a positive effect, not just for Draper but for residents across the borough.
- 5.38 The chair had also received comments from a resident via e-mail

which he read out to the sub-committee making the following points:-

- How will Southwark council guarantee similar issues to Draper House will not be repeated in the future if the same senior management team remain in charge?
- Some of the recommendations given in the report, such as taking minutes were something residents repeatedly demanded but were refused, how will such failings be prevented in future.
- Allegations of bullying and harassment – ongoing issue with Southwark
- Consider how come the housing director confirmed in writing to residents before appointing ARUP that the quality of external cleaning as executed will be judged by ARUP, but this did not happen. Why is a third party needed for a report of the quality if the disputed executed work is not even judged?
- Concerns about Southwark's investigation into carbon monoxide, without finding the root of the problem and addressing, similar accidents are likely to happen again.

5.39 The chair thanked all the residents present for their contributions to the meeting and then signalled that members would now ask questions of Claer Lloyd-Jones regarding the report.

5.40 Councillor Gavin Edwards stated that one of things that most disturbed and angered about him about this whole process, is that serious problems keep recurring

5.41 There had been a scrutiny report which looked into these issues and the Cabinet approved the scrutiny report and recommendations and then particularly on the issues relating to communications apparently they were not implemented

5.42 Luisa said that the last 6 months had been the worse, the scrutiny report was agreed in June of last year. He felt there is a deeper problem in the housing department which needed to be acknowledged at a longer term basis for those other major works projects, because it seems like we have a culture of not listening to residents and being soft on contractors and that needs to be challenged in the most robust way. He wanted the committee to consider how that culture can be turned around.

5.43 Councillor Ben Johnson thanked Claer and Residents of DRA for all their hard work and stated that it was really clear how essential the role of the DRA was and it is right that the main focus was that this does not happen again on other estates. He remained concerned about communication - it seems that the lessons on communication had still not been learned and this is a worry on



estates that either do not have tenants associations or have inactive tenants associations.

- 5.44 His understanding of the DRA was that it was formed during the major works and partly in response to the major works, and he felt there was a role for ward councillors – he wondered if the sub-committee can strengthen the recommendation in terms of formally making sure ward councillors are always informed about major works before they happen, which is particularly relevant for estates without tenant associations.
- 5.45 Councillor Claire Maugham thanked Claer for the report and presentation and DRA residents. She was concerned that the case demonstrates a lack of accountability for what had happened, and she understood the DRA's fear based on their real experience that the recommendations may not be implemented.
- 5.46 She was keen that the Overview & Scrutiny Committee's review of the council's procurement approach should take into account the learning from Draper House in terms of the inclusion of termination at will clauses and default notices.
- 5.47 She asked Claer Lloyd-Jones how confident she was that her recommendations will be implemented
- 5.48 Claer Lloyd-Jones reminded the committee that Southwark is the second largest landlord in the country and therefore the questions about culture and listening to residents need to be considered at that scale. She felt that two obvious areas for focus in the housing department's skills are construction experience and customer care.
- 5.49 On the question of information to ward councillors she suggested there should be some form of bulletin – she had seen this approach working well elsewhere and it is a case of switching officer's minds onto who needs to know about this information.
- 5.50 She had interviewed the ward councillors for Draper House early in the process and they had all agreed they were not told enough about what is going on during the course of the works.
- 5.51 She suggested that implementation of the recommendations was managed by producing an action plan to be overseen by a monitoring group which is not just internally focused but has accountability to those who are affected.
- 5.52 She reiterated the DRA's concern about how the snagging process was going to work, and they needed assurance on this
- 5.53 The chair then took further questions from members of the sub-committee.

- 5.54 Councillor Johnson thanked Claer Lloyd-Jones for the report and the DRA members that were able to attend today's meeting. He asked what her experience of communicating with the council had been like while she was carrying out her investigation, and who she felt should be responsible for the flow of communication in major works projects
- 5.55 Cris Claridge (co-opted member) asked what had happened to the recommendations from tenant's council. She was concerned about what happens to tenants associations when they fail or there is no tenants association. She was concerned that the council placed less value on TRAs than they had in the past and that there was less emphasis on face to face communication
- 5.56 She felt that the work put in by the DRA had moved things along - but the recommendations should be standard practice on every major work project across any estate.
- 5.57 She referred to examples where major works had gone well because rules for communication had been followed and any problems were quickly identified and corrected
- 5.58 Councillor Seaton asked whether senior officers had tried to moderate Claer Lloyd-Jones' recommendations in any way and why the scrutiny decisions agreed by Cabinet had not been implemented fully
- 5.59 Councillor O'Brien asked what level of communication had taken place with freeholders in draper house.
- 5.60 Claer Lloyd-Jones reported that she had seen a lot of communications which had been delivered to people's doors, both from Southwark and the contractor and it was confusing that it does not come from the same place. There needed to be some explanatory information that residents could pin up on their kitchen wall so that they would always know which number to ring.
- 5.61 She was aware that Southwark has a very good communications team and thought they could offer some expert advice on the correspondence - there needs to be an offer of a translation service as well..
- 5.62 With regards to estates with no tenants associations and how communications can possibly operate, again there are specialist within the council who pick up and advise on this matter.
- 5.63 Claer Lloyd-Jones reported that she did interview a wide range of senior officers. The last page of the report lists all the people she interviewed as part of this process. This was as wide and evidence

collection processes as it could possibly have been. She had discussed with the Director of Legal Services who commissioned the report the range of interviewees and was satisfied that she obtained a wide range of different views.

- 5.64 She could not comment on communications between the council and freeholders as she did not see any of those.
- 5.65 A member of the DRA urged the council to see what progress could be made with the freeholder in order to improve the look of the building
- 5.66 Councillor Edwards stated that all councillors know of major works projects that are going well. The facts of this case are not in dispute and that the residents of Draper House have gone through a terrible experience and at times that has been a result of repeated poor communications and mistakes, where that is a general attitude we have to make sure it is challenged and learn lessons from this particular case.
- 5.67 Mr Nosworthy a co-opted member stated that situation for leaseholders situation is very similar. Homeowners Council had contact with Draper House over the last 3 years, so have an understanding of what the problems are. He asked Louisa's letter could be attached to the minutes of the meeting.
- 5.68 Julian Adamoli stated he would quickly go through the recommendations and said that most these were for future projects:-
- Southwark provides methodology for accountability to residents and councillors for each future project.
  - Residents involved in sign off of works, residents were asked if there were problems but given very little time to respond, and were refused a request for extra time.
  - Residents did not feel that any of the recommendations were taken on board by officers.
- 5.69 Luisa Pretolami reported that for the last couple of months the project manager has been sending out updates on what has been happening on Draper House with major works, he had pre-empted the situation with apologies. "The problem with the letters was that they were very long. I personally do not read it all as no matter what is written there I do not trust it.
- 5.70 "I can not stress enough that communication between the council and residents on a very short format, extremely clear and in the most basic English, we all know want the information to be understood by as many people as possible."

- 5.71 The chair proposed a 5 minute break 8.45 p.m. and stated the sub-committee would then hear from the Strategic Director of Housing & Community Services.
- 5.72 The chair asked the Strategic Director of Housing & Community Services to respond to the points raised at this meeting.
- 5.73 The Strategic Director of Housing & Community Services stated that the sub-committee had heard that things could have worked out better and took this opportunity to apologise to residents and suggested that we move forward. As an officer and professional she would always try and put forward the department in the best possible light – that was her duty and she did not wish it to come across as defensive and perhaps not listening or caring.
- 5.74 Claer Lloyd-Jones been very helpful in pointing out some very simple things that can be done and to improve the relationship. She accepted all the recommendations in the report and as the Director would be held to account by the cabinet member and the scrutiny sub-committee for making sure they are properly implemented.
- 5.75 She had heard what scrutiny members had to say about the previous scrutiny report and a lack of confidence in the recommendation that they made had been implemented to date.
- 5.76 As from tomorrow communications should be joint between the DRA and the council together sign off those letters,. She had reviewed the correspondence to residents and agree that they are very long and there is a danger in trying to get too much information into them and not focusing on the information that really matters. In the new arrangement, the DRA will tell the department what really matters and jointly signed letters may do something to help build the confidence of residents that this information is something that we all sign up to.
- 5.77 She proposed a quick and early meeting with Neil as the independent residents friend hosting, residents and officers is very important to go through each of the issues that have been raised and agree the way forward on those and what will be done differently as a result.
- 5.78 She did not wish to rush into the residents satisfaction survey - it has to be agreed with the DRA in terms of contents, how it is going to be carried out, how the results are going to be collated, how the residents are going to know what the results say and most importantly what will change in response to the issues raised by residents.
- 5.79 She had heard a lot of commentary on Putting Residents First both

at Tenants Council and at scrutiny - some felt worked well and we heard that from some committee members here tonight and equally from some delegates that it does not work well.

- 5.80 She felt that the message is that there needs to be some flexibility in that process which needs to be tailored to what residents in that particular scheme want, and whether they want e-mail correspondence, meetings or letters, being very mindful that one size does not fit all. The Draper experience will enable officers to put down some very clear improvement for putting residents first and the department would be able to involve representatives from Tenants Council and Homeowners Council to help review that process.
- 5.81 She understood the lack of clarity about what happens next so snagging, and defects liability. That is something that officers can agree with the DRA working through Neil as to how we communicate that process and be clear on what happens next.
- 5.82 There would be an opportunity to look again at compensation - that would need to go through a process and be based on legal advice.
- 5.83 She committed to taking personal responsibility for making sure that brokering of renewing the relationship and getting what residents want in Draper House and by doing so applying that more widely to major works throughout the borough
- 5.84 She said there was a massive programme of major works with another couple of years to go and the council need to get this right and certainly in terms of consultation and internal works moving forward and also in terms of council build of new properties this whole communications piece is crucial, so a very unhappy experience for the DRA but hopefully it would help us improve in terms of getting it right for others in the future.
- 5.85 The chair thanked the Strategic Director of Housing & Community Services for her frankness. He asked the DRA if there was anything that would not be covered by the work going forward with the action plan.
- 5.86 The chair of DRA thanked the Strategic Director for her response which was extremely welcomed and the DRA would do everything possible to facilitate and help to move things along for residents. There was a point to clarify about the compensation and legal advice, the majority of the residents have not sought legal advice in order to get compensated, they have asked the DRA to present the fact that they would like without having to go through lawyers, court and Southwark to be compensated for what they have gone through over the three years.
- 5.87 She said that Breyer's had left a lot of issues with decorating.

They wanted a better compensation package

- 5.88 She had also spoken to many residents who have said they will take Southwark to court, if an answer is not given soon about financial compensation
- 5.89 The Director of Legal Services reported that there were a number of leaseholders who have sought legal advice and were in correspondence with Southwark's legal team regarding compensation. She could not discuss the details, but one of the things that will be done with any litigation is sit down and try to form a way of mediating in terms of what that person's claim may be and that process will continue and will take us to a fair resolution.
- 5.90 She advised the committee that compensation for the standard of work was not an element of the report so those issues are still disputed but it is always better where possible to avoid legal action
- 5.91 The Strategic Director of Housing & Community Services stated that with regards to the boiler issue, she had received a representation from one resident who is not here today and she has made a persuasive argument and clearly if that applies to her it will apply to others and there some work still to be done on that matter.
- 5.92 A member of the DRA reported residents had received compensation so far covers the period from Breyers going off site and Elkins taking over, it covers the distress suffered from residents, but many feel that the distress is the amount of time that this refurbishment has overrun, which has been 18 months. The compensation received is ok pro-rata, but we would like to see it applied to the overrun period.
- 5.93 The distress suffered by residents living on a building site with the noise, dust, scaffolding and all the other inconveniences for 18 months longer than had been predicted and the reason it overran was through no fault of residents themselves but failings that were highlighted in this report and also in the original scrutiny report. They wished to be compensated for the right number of weeks.
- 5.94 A member of the DRA thanked the Strategic Director for looking into the boiler issue that had upset and stressed a lot of residents and financial difficulties for them.
- 5.95 Councillor Seaton thanked the Strategic Director for the apology to the tenants and residents of Draper House, which was well deserved. He asked the Strategic Director would the original recommendations of the sub-committee and agreed by the cabinet be honoured?

- 5.96 The Strategic Director assured members that all the recommendations agreed would be implemented.
- 5.97 Councillor Edwards thanked the Strategic Director for the apology to residents and asked for progress on the inclusion of termination at will clauses in contracts. Officers report that they were currently procuring a framework agreement and there will be a termination at will clause in those contracts.
- 5.98 Councillor O'Brien pursued the question of snagging. The Strategic Director reported there had been a joint walkabout on Thursday which picked up a number of snags. The important thing is to get the joint inspection done so everything is pointed out and that officers can capture everything from the residents perspective.
- 5.99 Councillor Maugham expressed her concerns about what this episode tells us about accountability particularly via the scrutiny process and about the use of public money. She also had questions about the legal advice the council taken throughout this process which she would pick up outside this meeting.
- 5.100 Councillor Maugham asked the Strategic Director what she personally would do differently in future in terms of managing the department to make sure this does not happen again.
- 5.101 The Strategic Director stated that officers had worked hard to try and improve customer care generally since she joined the council and have made some strides, but clearly there is a way to go. She does take personal responsibility for things when they go wrong and did try to get involved with the Breyer mutual termination, but clearly this was a difficult one and perhaps there should have been more intervention from her on an ongoing basis.
- 5.102 She has extremely good senior managers in her team and it is about making sure everyone steps up quickly and puts things in place to stop events spiralling out of control, and it is about taking residents onboard with officers.
- 5.103 Councillor Situ wanted whether the commitment to jointly signed correspondence was for all future projects or just DRA?
- 5.104 The Strategic Director stated on this project it would have been very helpful if the DRA and officer communication was one and the same. That would have worked well for Draper House. She had commented earlier that "Putting Residents First" has maybe been applied in a blanket way and sometimes that had worked very well and clearly it has not in this case. It depends on conversations between resident's project teams and what works best for that project.

5.105 The co-opted members expressed her concerns regarding the increasing cost to the HRA with regards to the cost of compensation and requested that tenant's council would like to know what that cost would be as this would have an impact on other schemes in the borough.

**RESOLVED:** The sub-committee agree the following recommendations.

### **Recommendations of the Claer Lloyd-Jones Independent Investigation Report**

a) That in order to ensure consistency, openness and honesty, that one senior person in the Council is responsible for and has oversight for ensuring that all communications from Southwark to residents within major works projects are open timely and effective, and that the identity of that person is made known to residents.

b) That in order to ensure that communications are effective and relevant, that regular soundings are taken through the Tenants and Residents Associations, in this case DRA, and through satisfaction surveys. This will ensure that matters raised by residents are given sufficient consideration. These sounding should also explore residents' preferences for methods of communication, including the use of emails, texts etc. This should be done at a pre-works stage.

c) Where residents' organisations on site have effective communication systems, as is the case with DRA, that consideration is given to producing joint communications. For example the pack to be produced for residents providing advice at the end of the works would benefit from being produced jointly.

d) That careful consideration is given to the content of communications with residents so that the Council is seen to be joined up, for example information about other work and its impact at Elephant and Castle, to expect information about fireproofing and fire procedures, the impact of subsequent gas meter works, a response to the Council Assembly deputations, an update on the OSC recommendations, an update on complaints.

e) That Ward Councillors are pro-actively briefed on progress on major works in their ward by officers on a regular (weekly or fortnightly) basis.

f) That a copy of this report is distributed to all Draper House residents.

g) In explaining delays to major works projects it is important for the Council to look at the issue from the residents' point of view and inform residents as soon as possible and preferably before the delay occurs. An apology should start the communication. The Council will need to explain



why the delay occurred, why it was not avoidable, how long it will last, the impact on residents if any, and the impact on the rest of the programme.

h) A senior Council presence to be available on site equipped and empowered to deal with queries personally.

i) Transition arrangements once the works are finished should be via a single point of contact. The Housing Management Team have a vital role to play here given that they had the major relationship with the residents before the major works started, and will do so once the contractor a major works team leave Draper House. In order to establish this a build ownership of the solution a meeting of all relevant parties should be held soon to include DRA, MWT, Housing management, Elkins, Mace, Ward Councillors, and Complaints. The aim of the meeting will be to establish clear arrangements during the 12 months defects liability period and beyond.

j) Establish a single point of contact for emails and correspondence and stick to it, other officers and Members can respond that the point of contact will be dealing with the correspondence within a certain time scale.

k) That the recommendations from the OSC review of Draper House are fully implemented and the results published to residents (see page 4 of this document)

l) That prior to determining the staffing arrangements for Major Work's projects, that a risk assessment is carried out to determine whether additional attention or resource may be required on that site. Where it is required, the Council should deploy an appropriate employee with sufficient authority to attract respect and whose decisions in relation to design and spend on the project would be binding.

m) That Southwark reviews the effectiveness of "Putting Residents First" by using resident surveys during works as opposed to afterwards, and looking at best practice policies elsewhere. This includes reviewing the effectiveness of the Draper House RPT.

n) Resident liaison becomes a stronger selection criteria in future procurements, and is given greater priority in the decision whether to extend the existing three partnering contractors contracts.

o) That a programme of works is produced for the RPT in major works sites. That the programme shows work to communal and external areas, and works to individual properties, which are provided to individual residents.

p) That before practical completion on each major works project that the RPT conducts a facilitated review of the project looking at what went well and what could have gone better. That the outcome of the review is published to residents and is given recorded consideration by the management team of the major works department.

q) That in assembling project teams, the skills and experiences of its

members are carefully examined in advance. Sufficient experience and expertise of both construction work and customer service are essential.

r) That a Transition pack be published to all residents.

s) That clear written explanations of the roles and responsibilities of project teams are published along with contact details, and that future project teams do not have two project managers.

t) That decision-making is delegated to the project manager at on-site level.

u) That Southwark provides clear methodology for how accountability to both residents and Councillors will work in future major projects.

v) Adoption of resident sign off for future works projects in residents homes.

#### **Additional recommendations of the sub-committee 09.09.2014**

1. That the Sub-Committee agree all of the recommendations contained in the Draper House – Independent Investigation Report.
2. That the Housing department produces an action plan with timescales and milestones to implement the recommendations.
3. That a monitoring group should be established consisting of members of Tenants Council, any members of Housing and Community Safety SSC, the Cabinet member, Councillor Maisie Anderson or Eleanor Kerslake, members of the DRA and Housing officers. The monitoring group should also receive a written response to the DRA's question about whether further points can be raised on works that have previously been signed off by the clerk of works.
4. That the housing scrutiny sub-committee should undertake a short review regarding the role of TRA's and how residents are consulted by the council.
5. That the Director of Corporate Strategy should consider how the flow of information to ward councillors can be improved – e.g. a ward bulletin.
6. That officers answer questions outside of the meeting regarding the legal advice received by the council throughout the refurbishment of Draper House.

### **Recommendations from Tenants Council meeting 1/9/2014**

1. That the recommendations set of in paragraph 9 of the Independent report be fully adopted (Claer Lloyd-Jones report – Draper House Refurbishment).
2. That Tenants Council fully endorse paragraph 10 (Conclusion of report) relating to the conclusion of the report.
3. Tenants Council notes the policy document “Putting Residents First” be revisited to incorporate the recommendations in the independent report and the comments and recommendations of officers be made known.
4. That the work in redrafting the policy “Putting Residents First” should be carried out by a working party of tenants and homeowners nominated from tenants council.
5. Tenant Council seeks assurances that when the template (Putting Residents First) is applied, it is applied equally across the board and flexible.

### **Recommendations from original scrutiny review (10.06.2013)**

1. Termination at will clauses: All major works contracts issued by Southwark council should contain termination at will clauses.
2. Default notices: Default notices should be considered a primary tool for escalating poor performance at the earliest opportunity. Project managers should be encouraged to use them as a matter of course as soon as sub-standard performance becomes apparent.
3. Payment of sub-contractors: In all future contracts the council should stipulate an acceptable period within which the primary contractor must pay sub-contractors for completed work.
4. Breyer: The sub-committee is aware that, due to EU Procurement law, the council must consider all future bids from Breyer Group Plc for work in Southwark. However, the sub-committee recommends that the conclusions of this scrutiny report be kept at the forefront of officers' minds in considering these future bids. We hope that the implications of this recommendation are clear.
5. Complaints logs: During all major works projects, detailed complaints logs should be kept and reviewed on a regular basis to prioritise issues which need to be resolved for the benefit of residents.
6. Leaseholder charges: No leaseholder in Draper House should

be forced to pay for more than the value of the original notices on which they were consulted. It is understood that this is already the intention of council officers, but the sub-committee felt it was important to underline this approach in our recommendations.

7. Sharing information: Southwark procurement team should investigate setting up a formal network with other London Councils to share information regarding the performance of construction contractors.

8. Appointing project management teams: Officers should review how the original project management team for Draper House was appointed. Project management teams should not be appointed to complex projects unless senior managers are absolutely certain that the individuals have the training, qualifications and skills required to deal with the project. Measures should be put in place by senior officers to ensure this is the case in future.

9. Communications with residents: The scrutiny sub-committee did hear evidence from officers that new procedures for ensuring residents are communicated with during major works have been put in place. These procedures should be strictly followed and failure to do so should be treated as a serious matter by senior managers.

## **6. WOMEN'S SAFETY CHARTER**

6.1 The chair stated that the women's safety charter was a key manifesto pledge from the administration and the sub-committee is looking forward to hear what progress has been made so far, the sub-committee welcomed Jonathon Toy (Head of Community Safety), Eva Gomez (Acting Reducing Offending Manager) and Councillor Radha Burgess (Deputy Cabinet Member for Women's Safety) to the meeting.

6.2 The Head of Community Safety reported that officers and Councillor Burgess had been working very hard during the summer period and were pleased that people were taking this issue seriously in this borough. There are lots of concerns that women express in terms of the daily issues they face like harassment and intimidation that affect their daily lives and never more so than at night time venues and clubs. We hear that regularly but it does not always get reported in the normal ways that you would imagine but it certainly affects them and it comes to the attention of friends and people around them and then back to officers in terms of services.

6.3 The Women's Safety Charter was to go out for consultation this week and is looking to improve safety for women whether it is visiting a restaurant, cafe or a night club and getting home again. Officers were looking to those people who run or manage those venues to take some responsibility to make sure that if somebody

feels threatened, harassed or intimidated they would do something active and support that person, they would also make sure their staff are trained and will make sure the person gets home safely from the venue.

- 6.4 There were far too many occasions when women did not feel safe at a venue and what was really refreshing was that officers had talked with licensees at an event last week they felt the same. They were echoing those concerns and really eager to do something about it, officers had already got 10 relatively high profile venues in different parts of the borough to adopt this charter and be a travelator for this piece of work.
- 6.5 The Head of Community Safety stated that members had a copy of the suggestions in relation to the 5 points, and suggested this to be the start of a wider campaign, officers believed that the momentum of starting with night clubs, bars and restaurants would provide a really good platform to build on and take the issues of women's safety in Southwark very seriously.
- 6.6 The charter has gone out to consultation and will run over the next four weeks, officers are talking to a whole variety of people and are delighted to talk to the sub-committee this evening and hope you will take part in getting your views through and feeding back to officers.
- 6.7 Officers will also be seeking the views from community councils and other forums, officers would also be servicing events road shows in different parts of the borough to get a flavour of issues and concerns.
- 6.8 The chair then moved to questions from members of the sub-committee.
- 6.9 A member asked how will officers enforce the charter?
- 6.10 The Head of Community Safety reported that the venues officers were talking to are looking to have a relatively simple recording system put in place, if it is a serious incident they will report it through the normal way, if a lower level incident officers would give them contact details of officers within the team for licensing and community safety and officers would link them to the support service.
- 6.11 The Deputy Cabinet Member for Women's Safety added that officers were also talking to venues about creating a very easy way they could list all incidents, because they do not want it to be onerous or want to undermine their ability to run their business, there are various different ways that officers can work with venues to make reporting very easy. There may be an application or a means of developing the webpage of the council to allow venues

log any incidents in a really easy way so that it works for everyone.

- 6.12 The member asked a follow up question regarding the charter and the venues being able to display it to make their premises more welcoming, therefore something which is of value to them. How will officers make sure they are fulfilling their end of the bargain?
- 6.13 The Head of Community Safety reported that the licensing teams already go out and do visits to licensed premises, those that adopt the charter will undertake training of staff and then do follow up visits, those were the conversations that were taking place between officers and venues last week and that is a part of the standard approach to those venues.
- 6.14 A member asked if officers would be providing the training for those that sign up to the charter?
- 6.15 The Head of Community Safety reported that officers would like to provide businesses with a really good training tool, that might be a dvd or/and training that would be provided by officers to the venue which would allow other businesses to attend for training. There was an appetite amongst the venues management that signed up for sharing best practice, so they were all willing to contribute to training.
- 6.16 The member added that the training and charter will relate to the staff working in the venues as well as the customers? The officer assured members that the training did cover staff as they were also affected by incidents of violence in venues.
- 6.17 A member asked if officers had spoken to other organisations and the police and have you thought about a joined up approach to launching the charter?
- 6.18 The Head of Community Safety reported that officers had met with the police and had shared the charter with them and they were very keen on the charter. Officers are also talking to the bigger institutions as well, it would be great to promote this wider than Southwark but this borough needs to be first and best.
- 6.19 A member stated that 10 organisations had already signed up, but there were a lot of bars and clubs in Southwark, I do not know if you have a sense of proportion of businesses that have signed up, is there a pilot or do you have a strategy for businesses that do not want to sign up to the charter? Or is that something officers have not encountered?
- 6.20 The Deputy Cabinet Member for Women's Safety reported that officers had reached out to venues that the council had good relationships with in the 3 alcohol saturation zones in the borough, which were Peckham, Camberwell and Borough & Bankside.

Officers asked whether they were interested in hearing more about the initiative and received a good response from them. There are 500 venues in those zones and that will be lead by licensing officers and that will be comprehensive in terms of reaching out and getting them onboard.

- 6.21 Officers felt it would be a very powerful concept when the charter is launched and we have these high profile venues showing real leadership, there would be a good sign up effect.
- 6.22 The member followed up by asking is there a cost implication for any of these businesses, if the big businesses are doing this they may have the money for training a smaller bar with few staff and where there may be problems are there cost implications and are the council offering training?
- 6.23 The Deputy Cabinet Member for Women's Safety reported that this came up during the meeting with venues and officers advised that the council wanted this to be as cost neutral as possible, so the council will provide training meaning minimal costs to venues.
- 6.24 The chair explained that there would be benefits to bars in terms of profits, so even if there is a small cost to implementing the charter the benefits in trade and how welcoming a venue is would more than cover the cost.
- 6.25 The Deputy Cabinet Member for Women's Safety stated what was really encouraging was that the venues that came to meet with officers said that they understood that there was a clear cut business case, if you create a venue that is welcoming and safe to women you will get more customers, not just female customers you will get more men going there because it is a nicer environment.
- 6.26 Members were also informed that there was one representative from a very big venue who said that one of the problems that they faced was harassment and violence against women. Another problem they have to sort out was men fighting each other, so they see the women's safety charter as being helpful in stopping men fighting each other over women.
- 6.27 A member asked is domestic violence included, If it is not why not, and how did officers come to that decision? And just to follow on to the points raised earlier how is it incentivised, would there be a website where the top ten ethical businesses were put up?
- 6.28 The officer stated that the great thing about consultation was there would be ideas about how officers can promote the charter and how to make it of interest for businesses to be involved. The officer reported that he had never attended a meeting with a group of licensees who were so enthusiastic about taking something on, he

was not sure how much incentive the council would need to offer them, when what they were saying was this is a really good thing.

- 6.29 Officers have been told that things kick off in clubs over people who have been harassing women and the staff are dealing with the aftermath when the boyfriend or the group of friends who are protecting and standing up for the women who is being harassed then actually starts an argument and fight.
- 6.30 The incentive will come from their own staff who were already having to deal with these situations, and officers are hoping from the 10 venues already signed up people will advocate to other venues that this is a good thing to take on.
- 6.31 Officers have gone through the whole conversation around women's safety and domestic abuse and the relationship, the main point to make is that women's safety is very important and it is something we need to get a grip with and it is great that Southwark is doing this work.
- 6.32 Domestic abuse is a much wider area and does not just affect women, officers are seeing rises in domestic abuse in terms of generational, intersex and interfamily. It is not just about the abuse of women it is about how the perpetrator is dealt with as well. There are crossovers but there are also very clear distinctions between the two, so to put them together might lose some of the distinctions around domestic abuse which officers need to get a grip of and that is why they have been kept separate.
- 6.33 A member asked if officers had set themselves a target over the next 12, 24 or 36 months in terms of the number of venues that they wish to sign up to the charter, so that officers can work towards targets?
- 6.34 The Head of Community Safety reported that officers start with 10 venues and the ambition was to get all of them and anything left out can be reviewed. Officers anticipated a good take up. The take up could be reported back to the sub-committee after 9 months with the question of where do we go from here as a worthwhile conversation.
- 6.35 The Deputy Cabinet Member for Women's Safety added that on the enforcement point, the strategy was to work closely with the venues to get them onboard and educated. The education piece of this work is really significant and after a certain period of time it may be possible to hard wire this commitment into licensing at some point down the line.
- 6.36 A member asked about the consultation aspect of proposals, and that officers would be providing road-shows and attending community councils. What would this achieve in terms of getting



more venues to know this is a option, she pointed out there were groups in the community that could go to their local pubs and actually sell the idea to locals and get them to sign up to the charter.

- 6.37 The Head of Community Safety reported that officers can circulate the consultation, and any ideas of other venues where officers can provide information through to as many people as possible. Officers see it from two ways 1 need to do the work with licensed premises and also need to get it in the forefront of peoples minds, because part of the problem is a lot of cases the harassment that officers were talking about does not get dealt with or reported, people do not think anything is going to happen about it.
- 6.38 Officers feels it needs to be raised on both points in terms of residents and licensed premises and doing the two together will then encourage people to talk about this more as an issue.
- 6.39 The Deputy Cabinet Member for Women’s Safety added part of the consultation is yes it is a licensed premises it is also reaching out to all women and asking what is your experience, in terms of culture setting and officers were trying to is say was that the council take this very seriously and were seeking to change the environment in the sense that this kind of harassment of women is unacceptable. So it is important to hear from women in the community who feel able to tell us what kind of harassment they have experienced and for us to gather that information.
- 6.40 The chair thanked officers and the Deputy Cabinet Member for Women’s Safety for attending the meeting and stated that he understood that a report would be going to the November 2014 meeting of the Cabinet and requested that officers report back to the next meeting of the sub-committee.

**RESOLVED:** That the sub-committee agreed that the Head of Community Safety & Enforcement and Councillor Radha Burgess attend the next meeting of the sub-committee on 21<sup>st</sup> October 2014 to report back on the progress of this report.

**AOB**

Members agreed the following visits from sub-committee members to the noise team, community wardens and the repairs contractors and to report back to the sub-committee:-

Department Members	Contact	
Noise Team	J. Toy	Damian O’Brien Tom Flynn

Community Wardens	J. Toy	Martin Seaton Claire Maugham
Mears	Chair/David Lewis	Johnson Situ Ben Johnson
SBS	Chair/David Lewis	Tom Flynn

Meeting ended at 10.15 p.m.

**CHAIR:**

**DATED:**