

Overview & Scrutiny Committee

Monday 13 September 2010

7.00 pm

Town Hall, Peckham Road, London SE5 8UB

Papers tabled at meeting

List of Contents

Item No.	Title	Page No.
	Tabled	
	Abbeyfield Estate TRA - written representations	

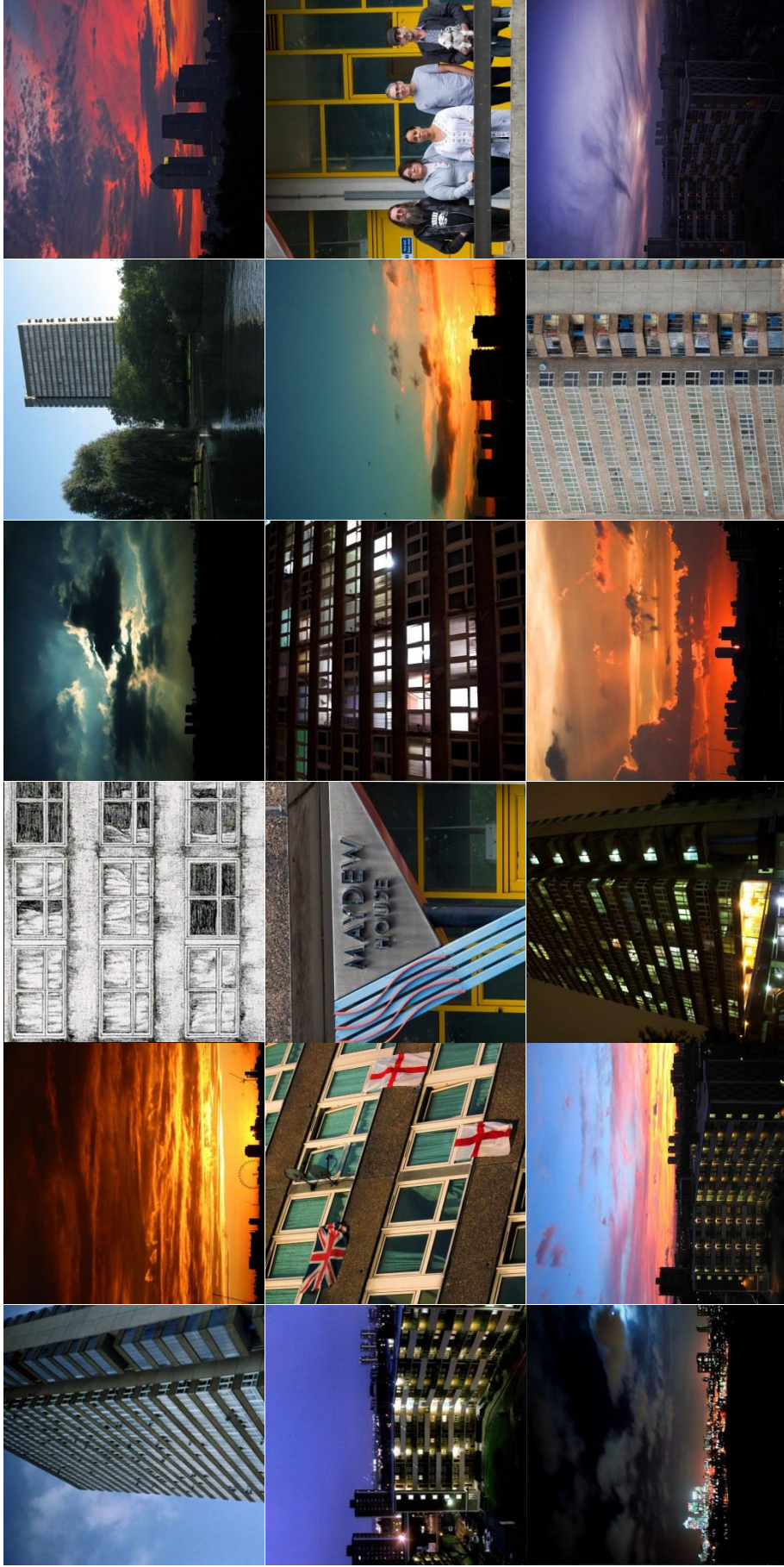
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Date: 13 September 2010

**MAYDEW HOUSE RESIDENT'S REPORT TO THE
OVERVIEW & SCRUTINY COMMITTEE**

13 SEPTEMBER 2010






INDEX

PAGE 3-6	WHAT CONSULTATION?
PAGE 7	PSYCHOLOGICAL MANIPULATION
PAGE 8	NOT CONSULTED ON FURTHER OPTIONS STUDIED
PAGE 9-11	ABBEYFIELD TRA OPINION SURVEY
PAGE 12	SUITABLE ALTERNATIVE ACCOMMODATION?
PAGE 13	PUTTING THE CART BEFORE THE HORSE...
PAGE 14	ARAGON TOWER (PEPYS ESTATE, DEPTFORD)
PAGE 15	COST COMPARISON: WORKS TO DWELLINGS
PAGE 16	COST COMPARISON: WORKS TO BLOCK SERVICES
PAGE 17	COST COMPARISON: WORKS TO EXTERNAL ELEVATIONS
PAGE 18	COST COMPARISON: WORKS TO ASBESTOS & OTHERS
PAGE 19-20	DECENT HOMES STANDAR
PAGE 21	“ESSENTIAL” WORKS
PAGE 22	SOUTHWARK LABOUR’S BROKEN PROMISES
PAGE 23-24	THE PROPOSED WORKS TO FLATS
PAGE 25	ASBESTOS PRESENTATION TO THE CABINET
PAGE 26	ASBESTOS: TO REMOVE OR NOT TO REMOVE?
PAGE 27	CONFLICTING EXPERT OPINIONS
PAGE 28	THE DECISION
PAGE 29	FROM THE RESIDENTS OF MAYDEW HOUSE

WHAT CONSULTATION?



"I don't know how anybody could call what's happened with the residents of Maydew House a 'consultation'. The Lib Dems were asking residents if they're happy for their homes to be flogged off at the same time as they were measuring up the rooms for the sales catalogue. This was no genuine choice: this was notice to quit."

Cllr Ian Wingfield Southwark News, 11 February 2010

Since making this comment, can Cllr Ian Wingfield honestly say Southwark Labour have carried out a more transparent, inclusive and unbiased consultation?

Southwark Council's Tenant Consultation Policy:

- 5. TENANTS' AND RESIDENTS' ASSOCIATIONS**
(See also Model Constitution for T&RAs)
- 5.1. A Tenants' and Residents' Association will be recognised if it complies with a constitution that is in line with the Model Constitution recognised by Southwark Council. As long as an Association continues to adhere to its constitution it will continue to be recognised.
 - 5.2. Only recognised T&RAs are entitled to
 - receive monies from the Tenant Fund
 - representation at their Neighbourhood Forum
 - be consulted on matters affecting the local community
 - manage premises owned by Southwark Housing
 - 5.3. The Neighbourhood Forum may de-recognise a T&RA but the T&RA has the right of appeal to Tenant Council.

The Abbeyfield Estate TRA prior to 26 August 2010 was ***"not a recognised TRA"*** according to Jo Wilson (Southwark Council's Resident Involvement Manager). The previous Abbeyfield Estate TRA was not "elected" in line with the Council's model constitution.

FEEDBACK FROM RESIDENTS IN FEBRUARY 2010 REGARDING THE "CONSULTATION":

"We haven't been given enough time to understand the decision. We are being re-housed in a hurry without any true consultation."

"A poorly managed way of conveying the 'decision' to residents./No investigation into the quality of life/community in Maydew - multi-cultural community with a number of tenants living in the block for 20-30 years/This is narrow, non-consultative and secretive – it is a fait accompli."

"Hope that the Executive Committee will take fully into account all the financial implications and obligations, that they will fully weigh all the opinions of the stakeholders who have paid rent far, far in excess of the Councils expenditure/consideration to the loss to the whole borough housing stock of 143 flats, more than 300 quiet, warm, private, secure, well designed and friendly homes"



*"As a Council we need to make sure that we **listen to our residents and treat them as though they were a member of our own family.**"*

Leader, Cllr Peter John, June 2010

We feel completely let-down



*"I want people to know who is running Southwark and who they should be holding accountable for the successes and failures. That's why **I think it's really important that myself as leader and my cabinet are out talking to people.** I want to open up the opportunities for people to see us and question us"*

Leader, Cllr Peter John, June 2010

THE BOROUGH WIDE TENANT PARTICIPATION COMPACT,
SOUTHWARK COUNCIL

*We aim to involve tenants and residents in all stages of repair and improvement to their homes and environment. **Through the consultation structure, tenants and residents are involved in setting priorities for repairs and improvements in their area.***

*Once money is approved for a repair or improvement scheme, tenants and residents who would benefit from the work will be involved from as early a stage as possible in designing the scheme and in monitoring its progress. **Normally, we will hold a public meeting early on so that tenants and residents can elect a representative group to be regularly involved in developing the scheme.***

*Representatives decide how much they are prepared to get involved. **If the work on each home is different (for example, a choice of colours or equipment), we will ask all tenants and residents for their views.***

HAVE YOUR SAY' QUESTIONNAIRE

Cabinet Meeting Report:

Table 1 – Consultation Work April / May 2010

Number of secure tenants	96
Number of consultation visits requested and completed	68
Number of tenants already registered on Homesearch (prior to start of consultation process)	25
Number of tenants who have completed in full the Housing Application form during the consultation process	21
Number of surveys returned	84

This is referring to the "Have Your Say" questionnaire. We know of at least 15 households who did not return their forms so we question where the Officers obtained these figures.

These "consultation" visits were a door-to-door knocking exercise. They were not "requested" by residents or known to form part of the consultation.

Residents had been misled and felt under pressure subsequent to the initial meeting held at Bede Centre on 21 January 2010. Upon receiving the "Have Your Say" questionnaire soon after, they were left feeling like they may not have a genuine choice so many completed the surveys with this mind-set (to get a good "deal" from the council).

An inaccurate and irresponsible assumption to make!

- 46. To date, the majority of residents have expressed a wish not to return to Maydew House if they are required to move out.
- 47. The question that residents were asked was:
Given that residents must move for the asbestos to be removed, do you prefer a permanent or temporary move?
- 48. The responses that we have received to date have been:
 - 62 households wished to move out permanently and not return
 - 12 households wished to move out temporarily and return
 - Nine households did not know
 - One household said they would be happy with either a temporary or a permanent move.
- 49. This means that so far only 12 households expressed a wish to return to the block.

Legal Requirement

7.4 The 1986 Housing and Planning Act, Section 6

This gives secure tenants of the Council the right to be consulted over any proposals the Council may have to dispose of their home to a private landlord.

Legal Requirement

7.2 The 1985 Housing Act, Section 105

This places a duty on the Authority to maintain arrangements that are considered appropriate to inform tenants about proposals for changes on matters of housing management

Legal Requirement

7.1 The 1985 Housing Act, Section 104

This requires the Local Authority to publish information regarding secure tenants, tenant's rights, repair obligations and consultation.

"54. The Chief Executive with other staff held a consultation surgery at Maydew House on Monday 17 May between 4pm and 9pm. All residents received a letter to invite them to book an appointment and were able to sign up for a time with the Concierge office. There were posters up around the block advertising this and households were asked to contact the council to arrange an appointment."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

"Visit To Maydew House by the Deputy Leader & Cabinet Member for Housing Management – 8 June 2010

61. The Deputy Leader and Cabinet Member for Housing Management, Councillor Ian Wingfield, visited Maydew House on 8 June 2010 to talk to the residents and to hear their concerns.

62. Residents expressed a wide range of views and comments. Councillor Wingfield invited residents to put their views in writing to him and promised that any letters or e mails that he received would be appended to the report as background papers for all Cabinet Members to see and to have available to them before making a decision. These are appended in Appendix C. He also told residents that they would be very welcome to attend the Cabinet meeting and to send a deputation to it, if they wished to do so."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation

CHIEF EXECUTIVE ANNIE SHEPPERD SURGERY

The concierge was responsible for booking resident's in to see the Chief Executive and did not inform residents this would be a group arrangement. There was an inconsistent approach to this surgery. Some residents were granted a one-to-one with Annie Shepperd whilst others had to meet her with a small group of other residents. Those that wished to discuss their own personal circumstances were not given the opportunity of having a private one-to-one. Not everyone felt comfortable voicing their concerns in their allocated group.

CLLR IAN WINGFIELD SURGERY

It was not honestly documented in Council reports how this meeting with Cllr Wingfield was actually marketed. This was publicised as a "one to one" drop-in session with Cllr Ian Wingfield, residents arrived all throughout the advertised times. This "surgery" actually became an un-chaired **shambolic public meeting with no order or structure**, there was a struggle to get your individual voice heard and disappointment was felt from those in attendance that were expecting an individual meeting with the new Head of Housing.

PSYCHOLOGICAL MANIPULATION

There are residents who do not attend Cabinet meetings and would rather not get involved in the Abbeyfield Estate TRA who have based most of their facts and knowledge of the Maydew situation strictly on the deceiving Cabinet reports available online.

“Get families OUT of Maydew House: The block is full of asbestos, the lifts need to be replaced, the whole place needs to be refurbished, **the work can not be done while there are residents living in the block. I have lived in the block for many years the flats are lovely however the state of the block is a disgrace, and is so bad it has been used as temporary accommodation since 2001. Meaning any new temporary resident will be in and out of Maydew in quiet a short time while permanent residents are stuck here with until recently no hope of getting out.”**

Enma Heeneey maydew house is a nice block i av mates that liv there i dint fink it was that bad. wots hapnin to it?
August 23 at 1:34pm · Flag

Get families OUT of Maydew House The block is full of asbestos, the lifts need to be replaced, the whole place needs to be refurbished, the work can not be done while there are residents living in the block. I have lived in the block for many years the flats are lovely however the state of the block is a disgrace, and is so bad it has been used as temporary accommodation since 2001. Meaning any new temporary resident will be in and out of Maydew in quiet a short time while permanent residents are stuck here with until recently no hope of getting out.
August 24 at 8:45am · Flag

Enma Heeneey u lot are well lucky, maydew aint aif as bad as the dump in in down surrey quays. my mate told me ur all getting 4 grand and will be gebrn them nice new flats on canda water. my mates well chuffed she dont even av. to pay any rent! good!uk to you all!
August 24 at 12:51pm · Flag

“26. Permanent re-lets to vacant flats in Maydew House were suspended in 2008 because the need to carry out major works was identified. It was recognised, however, that the nature and extent of work to be carried out was more than could reasonably be expected to be achieved in occupied properties and therefore would require the rehousing of residents.”
Cllr Ian Wingfield, Maydew House – Results from the Residents’ Consultation, 9 August 2010

To note that residents will be required to move out of their properties regardless of whether Maydew House is sold or retained and refurbished due to the nature and extent of the work required which is necessary to ensure that Maydew House meets the Decent Homes standard.
Cllr Ian Wingfield, Maydew House – Results from the Residents’ Consultation, 9 August 2010

“Get families OUT of Maydew House: is NOT in favour of Southwark Council selling off Maydew House to private developers, however the 8 month delay will have an impact on the length of time residents have to bid for properties in this area, properties in Rotherhithe and Bermondsey are scarce and also extremely popular, if we are not given adequate time Maydew residents WILL be forced out of their local area.”

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August 21 at 12:49pm

**“1. Why is it necessary for the block to be fully vacated for the works to take place?
32. The council’s technical advice is that the nature and extent of the works will be highly disruptive and, due to the way that Maydew House has been constructed, is likely to disturb significant levels of asbestos, which is difficult to manage safely with residents in occupation.”**

Cllr Ian Wingfield, Maydew House – Results from the Residents’ Consultation, 9 August 2010

NOT CONSULTED ON FURTHER OPTIONS STUDIED



Phasing & Rehousing Options Four Options Studied

- **OPTION A - TOTAL REHOUSING OF THE BUILDING**
This option could be either permanent rehousing of residents from the building with new residents moving in after the works are complete

or;
temporary rehousing for the duration of the works followed by a return to the refurbished flat.

- **OPTION B – PARTIAL & TEMPORARY REHOUSING OF THE BUILDING**

This would be in groups of 3 floors (or 36 flats) at a time and would form a rolling programme of rehousing and work followed by a move back to the building once work has completed on a floor by floor basis.

- **OPTION C – MINIMUM REHOUSING OF THE BUILDING**

This is broadly similar to Option B but in this instance would be on a flat by flat basis and would mean residents move out of their flats for the shortest period possible to complete the works.

- **OPTION D – NO MAJOR WORKS OR REHOUSING**

This option assumes no major renovation or repair works are carried out. Any necessary works would be carried out as emergency, temporary or adhoc works.

Presentation to Cabinet on 9 August 2010, Barry McCullough : Levitt Bernstein Associates & Jane Adamson : ALS Ltd

“22. A report on options for investment in Maydew House was considered by the Executive on 15 February 2010. The Executive resolved that officers:

- i. **Provide an information pack on all considered options** to Maydew residents, together with individual consultation of residents on their housing preferences.*
- ii. Carry out further feasibility work and report back on investment and regeneration options for the wider Abbeyfield Estate.*
- iii. Report back to Executive in June 2010 on the outcome of 1 and 2 above.*
- iv. Investigate further the possibility of early moves for those who have already registered for housing transfer.”*

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

It was inconceivable to discover at the last Cabinet decision meeting on 9 August 2010 that further options were considered for the block. Residents were never consulted over these options and were not given the opportunity to respond to these.

ABBEYFIELD ESTATE TRA OPINION SURVEY, AUGUST 2010

Over the space of three mornings on 28, 29 and 30 August 2010, newly elected Abbeyfield Estate TRA representatives knocked on every door within Maydew House. We asked residents to consider the council's plans for Maydew House; either refurbishment or sale of the block, whether they would like to remain or leave for good.

The survey conducted by the TRA was planned carefully in order to gauge a fair and accurate understanding of the views of people living in the block, in way which was not biased or influenced toward obtaining a certain response. All residents whether secure, temporary, or leaseholders were asked the same question:

If being given a choice, would you prefer to remain in or leave Maydew House for good considering the Council's plans of sale or refurbishment?

Upon being given the response to the above, we then asked for their reasons why. Great effort was taken to ensure our questions were *not* leading or suggestive.

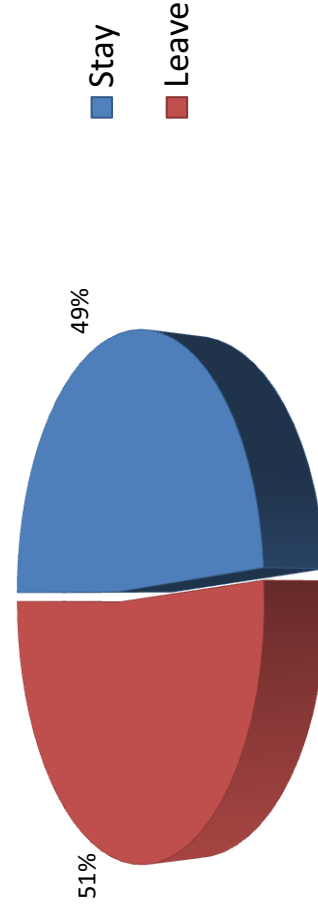
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From this door to door exercise, we managed to speak with 61 tenants; 43 Secure, 17 Temporary, 1 Bede Worker flat.

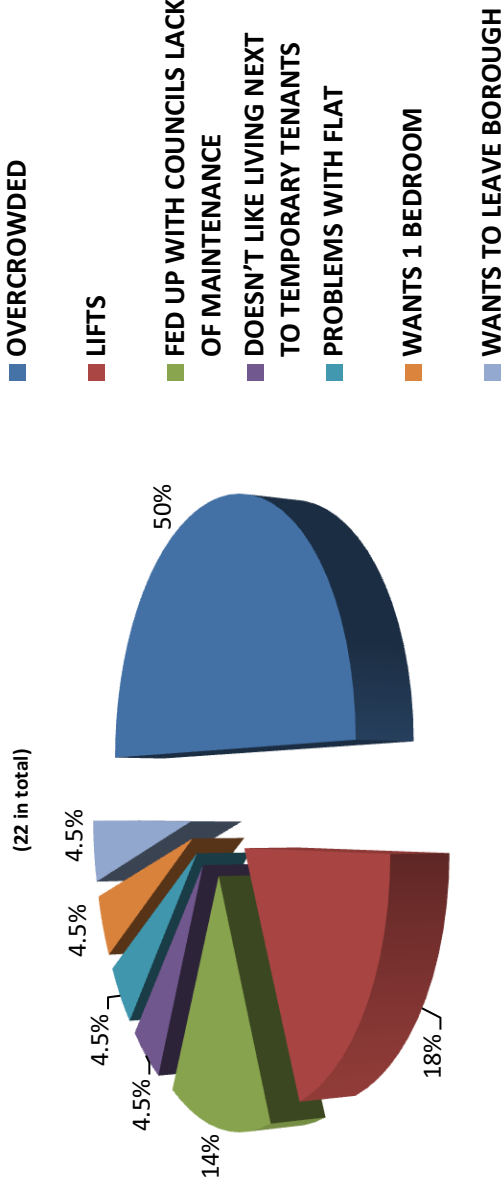
It is clear from the results, that resident's actual views were manipulated by the Council's "Have Your Say" survey which would have you believe that only 14% of secure residents wish to remain living in Maydew House as opposed to our more accurate figure of 49%. Of the 44 Secure tenants we spoke to, 51% wished to leave Maydew House, whilst the remaining 49% expressed their wish to stay.

Secure Tenants

(43 in total)

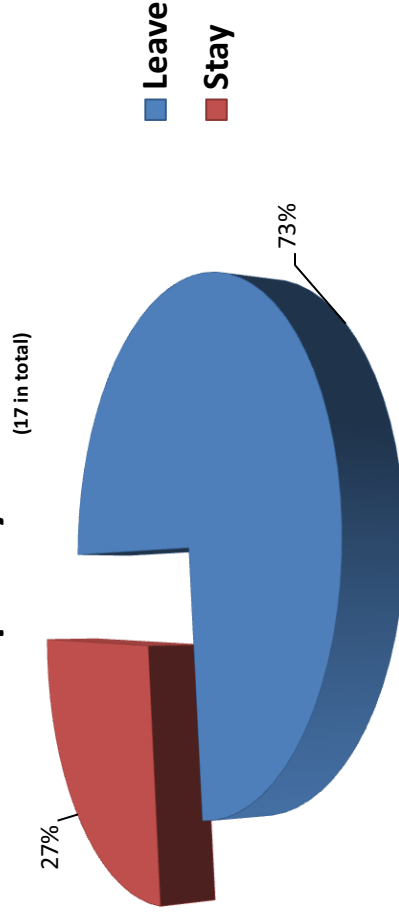


Reasons Secure Tenants want to leave



Of the 22 secure tenants that expressed their desire to leave, **50% of those said 'overcrowding'** was their main reason, with **18% wanting to leave due to the temperamental problems with the lifts** and **14% stating they are fed-up by the Council's failure to maintain the building**. Of those that used the lift as their main reason for moving out, the majority were families with young children living on high floor numbers.

Temporary Accommodation Tenants

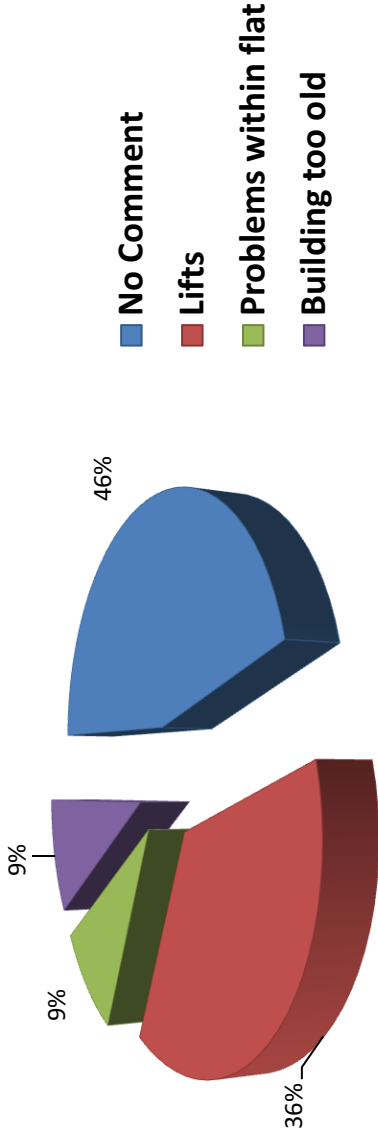


The TRA also gathered the views of temporary tenants in the block. As we would have expected, the majority of those we spoke to wished to leave.

Of the 4 temporary tenants that wished to remain in Maydew House, they all expressed they liked the area as well as the flats themselves.

Reasons Temporary Tenants want to leave

(Total 11)



One tenant specified that although she was only a temporary tenant in Maydew House (her 3 bedroom house was flooded and being renovated) She stated that she would prefer to remain in Maydew rather than go back to her 3 bedroom dwelling with a garden.

“27. Due to the significant nature and extent of the work required, the high cost, and limitations on the resources available, it was also identified that it would be necessary for the council to review all available options for the sustainable future of the block, in consultation with residents, to ensure that the best practical way forward was identified, taking into account resident views and resource availability.”

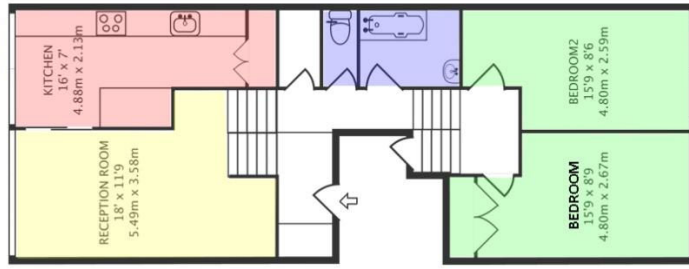
Cllr Ian Wingfield, Maydew House – Results from the Residents’ Consultation, 9 August 2010

From our findings, it would appear that few residents who wish to leave want to do so due to any “problem” with their flat. The biggest complaint next to “overcrowding” is the frequency of the lifts breaking down. Residents were written to last year to inform us the lifts would be replaced in November 2009, this fact was even published in the local news at the time! When the lift replacement did not happen, you lost the trust of the residents, many now feel the council does not care about their best interests and cannot keep a promise.

“SUITABLE ALTERNATIVE ACCOMMODATION”?

SIZE COMPARISON (TO SCALE)

MAYDEW HOUSE



MONTREAL HOUSE



The social housing selection in Montreal House (Canada Water) is not just much more expensive to live-in (around **£70 extra a week**) but also poorly designed and **unsuitable for most families in Maydew House**. The size of the bedrooms in the 2-bedroom flats and kitchens is unacceptable and not what resident's would be expecting.

ONE BEDROOM



TWO BEDROOM



FEEDBACK FROM RESIDENTS IN FEBRUARY 2010 REGARDING RE-HOUSING:

“Would like assurance ‘we’ would get as good or better accommodation.”

“I would expect to be offered, as a minimum, a flat of the same standard i.e. one that has been refurbished and has two bedrooms and two garages and a large cupboard on the landing, located in the same area of Bermondsey. That said I am prepared to be flexible and would consider a two/three bedroomed house in a safe part of Southwark or an equivalent property in a neighbouring borough specifically Greenwich.”

“Unfair that the council is requesting him to move and is forcing him into a smaller flat and expecting him to get rid of his valued possessions – using 2nd bedroom for art storage, not having this would mean a change in lifestyle.”

“Moving to a 1 bedroom home would mean getting rid of possessions, when it is not my decision to move.”

“Rents should be council rents not market rents.”

“I want to move to a bigger place – 4 children.”

PUTTING THE CART BEFORE THE HORSE...

"29. The further feasibility work on investment and regeneration options for the wider Abbeyfield Estate is currently the subject of detailed appraisal and options work. This work will form the basis for consultation with residents and tenants of the wider estate. Once this is complete, a further report will be brought to Cabinet."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

Options for the wider Abbeyfield Estate are still being compiled, and the stock condition survey/ Housing Investment plan is due in November-December 2010.

Peter John and the new Labour administration were given the opportunity to put things right and prove to us residents that he does care. To blame the previous administration is immature and insensitive to the people this decision will effect.

It is not fair to ask residents to move before you have decided on the future of the block!

The decision on where people live and whether they need to move out should be made **at the same time** as the decision on the future of the building.



"We would not have chosen to make this decision at this time, but the previous LibDem / Tory administration had thrown the future of the block into doubt and created a level of uncertainty which was unfair on the majority of residents and needed resolution sooner rather than later.

Absolutely no decision has been made about the longer term future of the block. We want to keep all of our housing stock if possible and last night's decision has no bearing on any wider strategy. So we could see no advantage in further postponing last night's decision, despite being urged by the local MP. The reality is that unlike the local MP, who appears to be in permanent opposition whilst in Government, an Administration has to make decisions on the basis of the facts as they are presented, and not as we would wish them to be."

Leader, Cllr Peter John's Blog, 10 August 2010

ARAGON TOWER

BEFORE AND AFTER, ARAGON TOWER IN DEPTFORD (PEPYS ESTATE)



“The sale of Maydew House

25. The working assumption behind this option B is that **Maydew House would be sold to a commercial developer** who would refurbish the building and sell individual flats. It is anticipated **all of the refurbished units would be sold for private occupation**. The precedent for this is the sale by Lewisham council of Aragon Tower in Deptford to Berkley Homes.”

Fiona Cliffe, Abbeyfield Estate – Options for Investment, February 2010

“Once the developers take possession, provided no more than nine flats were added, Maydew would then become entirely private accommodation. Southwark’s rules state that if a developer builds ten or more flats a percentage has to be social housing. The precedent for such a deal was set eight years ago when developers agreed to buy Aragon Tower, on the Pepys Estate, from Lewisham Council for more than £10million. The block was then fully refurbished and expanded to include a number of penthouses with roof terraces - selling for nearly £500,000 each. The report states the block could stay empty for two years before its sale.”

Southwark News, 11 February 2010



MAYDEW HOUSE

COST COMPARISON OF REFURBISHMENT WORKS TO DWELLINGS

Franklin Andrews Estimate (produced in January 2010)				Estimates produced in July 2010				CHEAPEST QUOTE FOR "ESSENTIAL WORKS"	
Strip out	144	nr	£ 250	£ 36,000	14	nr	£ 700	£ 100,800	£ 36,000
New Partitions	144	nr	£ 2,100	£ 302,400	14	nr	£ 2,310	£ 332,640	£ 302,400
Doors	144	nr	£ 3,400	£ 489,600	14	nr		n/a	
Windows	144	nr	£ 7,000	£ 1,008,000	14	nr			
New Finishes	144	nr	£ 11,000	£ 1,584,000	14	nr			
New Kitchen	144	nr	£ 2,300	£ 331,200	14	nr	£ 4,100	£ 590,400	£ 331,200
New Bathroom	144	nr	£ 1,300	£ 187,200	14	nr	£ 2,885	£ 415,440	£ 187,200
Electrical Rewire	144	nr	£ 4,250	£ 612,000	14	nr	£ 2,600	£ 374,400	£ 374,400
Internal central heating replacement	144	nr	£ 2,500	£ 360,000	14	nr	£ 8,700	£ 1,252,800	£ 360,000
Domestic hot and cold water service	144	nr	£ 1,100	£ 158,400	14	nr			£ 158,400
Gas installation	144	nr	£ 350	£ 50,400	14	nr			£ 50,400
Renew soil/waste/rainwater pipework	144	nr	£ 600	£ 86,400	14	nr			£ 86,400
Builders Work in Connection with Services	144	nr	£ 500	£ 72,000	14	nr	£ 215	£ 30,960	£ 30,960
SUB TOTAL				£ 5,277,600				£ 3,097,440	£ 1,917,360

COST COMPARISON OF REFURBISHMENT WORKS TO BLOCK SERVICES

Franklin Andrews Estimate (produced in January 2010)				Estimates produced in July 2010				CHEAPEST QUOTE FOR "ESSENTIAL WORKS"
Renew lifts	2	nr	£ 275,000	£ 550,000	Lift Replacement	2	nr	£ 390,000
Entrypointe Intallation	144	nr	£ 1,000	£ 144,000	Door Entry Works			£ 141,120
CCTV/Security to Entrance and car park areas	item		£ 50,000	£ 50,000	CCTV/Security Installations			£ 50,000
fire alarm	item		£ 15,000	£ 15,000	Fire Protection / Protective Installations			£ 15,000
lighting protection	item		£ 35,000	£ 35,000	Communal Lighting Replacement			£ 35,000
external lighting	item		£ 10,000	£ 10,000	-----			£ 10,000
replacement of boilers and equipment at roof level	item		£ 500,000	£ 500,000	-----			
replacement of heating/wet risers	item		£ 30,000	£ 30,000	-----			
gas rier	item		£ 15,000	£ 15,000	-----			
electrical riser	item		£ 200,000	£ 200,000	-----			
builders work in connection	item		£ 175,000	£ 175,000	BWIC with services			£ 100,000
M&E Prelims for (block) services	item		£ 250,000	£ 250,000				
Allowance for refurb of lift lobbies and corridors	item			£ 200,000	Decorations to communal areas			£ 200,000
Allowance for refurb of entrance foyer / concierge	item			£ 100,000	Flooring to communal areas			£ 100,000
Allowance for refurb of community hall	item			£ 150,000	community hall			£ 105,000
Allowance for refurb of undercroft garages	item			£ 150,000	Undercroft Garages			£ 105,000
Allowance for signage	item			£ 10,000	Signage			£ 7,000

COST COMPARISON OF REFURBISHMENT WORKS TO ASBESTOS & OTHERS

Franklin Andrews Estimate (produced in January 2010)		Estimates produced in July 2010				CHEAPEST QUOTE FOR "ESSENTIAL WORKS"
ASBESTOS:						
Asbestos removal - Adamson Laboratory Services Ltd	£ 600,000			£ 641,410		£ 600,000
				£ 11,820		
				£ 653,230		£ 600,000
OTHER COSTS						
Strategic Safety Works - LBS Estimate	£3,000,000			£ 9,531,962		£ 6,390,686
Preliminaries	12 % £ 432,000			£ 1,561,832		
Contingency	10 % £ 360,000			£ 156,183.20		
Total Works	£ 10,832,870			£ 953,196		£ 639,069
				£ 1,109,379		
TOTAL FOR ALL WORKS	£ 15,224,870			£ 10,485,158		£ 6,390,686
Professional Fees & management costs will be in the region of 10- 15% - depending on the consultant.						
NOTES/EXCLUSIONS VAT, Professional Fees, Planning, Building Regulations + other statutory fees, Finance/Interest charges, Decant Costs, (Assumed works to be carried out with tenants in occupation), Legal fees, Party Wall Matters, Abnormal costs e.g., remediation, mains and road diversions, Site investigation, Specialist surveys, Fitting out, loose furniture and the like Indicative costs shown above do not include site wide matters such as abnormal and the like, All costs are current as of 2nd Quarter 2010 with no allowance for inflation/deflation, Estimated costs assumed scheme to be competitively tendered, No allowance made for remodelling existing units (Strip out / Refurb only), Preliminaries costs built into rates						

DECENT HOMES STANDARD

A Decent Home – the definition and guidance for implementation

Section 2 - What is a Decent Home? – a summary of the definition

2.1 A decent home is one which is wind and weather tight, warm and has modern facilities. It reflects what social landlords spend their money on. To set a national target a common definition of decent is needed so all social landlords can work towards the same goal.

2.2 A decent home meets the following four criteria:

a - It meets the current statutory minimum standard for housing

Dwellings below this standard are those defined as unfit under section 604 of the *Housing Act 1985* (as amended by the *1989 Local Government and Housing Act*).

b - It is in a reasonable state of repair

Dwellings which fail to meet this criterion are those where either:

- one or more of the key building components are old and, because of their condition, need replacing or major repair; or
- two or more of the other building components are old and, because of their condition, need replacing or major repair.

c - It has reasonably modern facilities and services

Dwellings which fail to meet this criterion are those which lack three or more of the following:

- a reasonably modern kitchen (20 years old or less);
- a kitchen with adequate space and layout;
- a reasonably modern bathroom (30 years old or less);
- an appropriately located bathroom and WC;
- adequate insulation against external noise (where external noise is a problem);
- adequate size and layout of common areas for blocks of flats.

A home lacking two or less of the above is still classed as decent therefore it is not necessary to modernise kitchens and bathrooms if a home passes the remaining criteria.

d - It provides a reasonable degree of thermal comfort

This criterion requires dwellings to have both effective insulation and efficient heating.

General principles of application

2.3 In applying the decent home standard, social landlords should bear in mind the following (covered in more detail in section 4):

- decent homes must be sustainable in the long term. Decisions on which homes to invest in must be made in the context of the long term demand for the stock;
- it is a **minimum** standard that all social housing should meet by 2010 and which can be measured consistently across all social housing stock;
- it is a standard that **triggers action**, not one to which work is necessarily carried out;

The works are due to the decent homes legislation and this is split into four sections A-D

Strict appliance of

4.4 shows the properties in

Maydew House are still Decent!

There are at most 2 criteria in 4.4

for some flats and others have no criteria.

It appears that the proposed

work is not being undertaken under

Decent Homes works!

- A) It meets the current statutory minimum standard for housing
- 4.2 Dwellings which fail to meet this criterion are those containing one or more hazards Assessed as serious ('Category 1') under the HHSRS.
- B) It is in a reasonable state of repair
- 4.3 Dwellings which fail to meet this criterion are those where either:
 - one or more of the key building components are old and, because of their condition, need replacing or major repair; or
 - two or more of the other building components are old and, because of their condition, need replacing or major repair.
- C) It has reasonably modern facilities and services

4.4 Dwellings which fail to meet this criterion are those which lack three or more of

The following:

- a reasonably modern kitchen (20 years old or less);
- a kitchen with adequate space and layout;
- a reasonably modern bathroom (30 years old or less);
- an appropriately located bathroom and WC;
- adequate insulation against external noise (where external noise is a problem); and
- adequate size and layout of common areas for blocks of flats

4.5 A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria.

D) It provides a reasonable degree of thermal comfort

4.6 This criterion requires dwellings to have both effective insulation and efficient heating. It should be noted that, whilst dwellings meeting criteria b, c and d are likely also to meet criterion a, some Category 1 hazards may remain to be addressed. For example, a dwelling meeting criterion d may still contain a Category 1 damp or cold hazard.

Working in accordance with tenants' wishes

4.7 The decent homes standard ensures that all social tenants have access to a minimum standard of housing. However tenants may have other priorities and these need to be taken into account.

4.8 Landlords have reported that some tenants do not want their kitchens and or bathrooms modernised. This work need not be done as the standard is sufficiently flexible for homes to be without two of the components in the modernisation list and still be classed as decent.

4.9 Where an individual tenant does not want work carried out on their home to bring it up to the decent homes standard, then the home can remain below the standard until the property is vacated, at which point the necessary work can be undertaken. The exception to this is where works are required to maintain the structural integrity of the dwelling or prevent other components within the dwelling from deteriorating.

Some resident's have tried to communicate with Councillors and Officers that they would *not* need new kitchens and bathrooms as they have invested their own money over the years to install high-specification kitchens and bathrooms. Other residents we have spoken to prefer their older style kitchen cupboards to modern ones.

<http://www.decenthomesstandard.co.uk>

Southwark Council are ignoring the *Decent Homes* criterion!

“To confirm, we expect local Authorities and consultants to use a strict reading of the guidance when assessing whether there is a Decent Homes failure, and do not expect them to ignore the criterion and set higher standards to establish a higher failure rate.”

Senior spokesperson on behalf of the Department for Communities and Local Government - 7th September 2007

“ESSENTIAL” WORKS?

2.7.1 The hoppers to the rubbish chute that I inspected are modern and not in need of any attention. I cannot see why they should be replaced.

Our experience shows that the seals to hopper doors often require attention due to minor distortion in the door making a cold smoke seal not achievable.

-£15,000

Not ESSENTIAL or DECENT HOMES works

The door entry system is working, I met between 20 and 30 tenants and none of them had problems with the system. I cannot ascertain why they should be replaced.

The system is beyond its expected life cycle and replacing on a planned preventative basis reduces the risk of service failure and represents better value for money for residents.

-£141,120

Not ESSENTIAL or DECENT HOMES works

The CCTV installation is old but still working although in need of replacing. Whilst the recording media and some cameras may require replacing, this is part of normal ongoing maintenance. The wiring should not require replacing.

Not replacing the wiring has historically caused part replaced systems to fail to function correctly and limits the scope of the new equipment.

-£518,150

Not ESSENTIAL or DECENT HOMES works

Technical response to independent Surveyor's report (Arnold Tarling)

“5. CONCLUSION

5.1. From the brief information provided it is my opinion that *the proposed asbestos removal would be in breach of the Control of Asbestos Regulations*. Only asbestos that is damaged or is likely to be damaged and cannot be sealed or protected should be removed.

5.1.1. The intention of the Act is to ensure that release of asbestos fibres is kept to an absolute minimum

5.1.2. *Even the HSE documents oppose wholesale removal where it is unnecessary and point out that removal is very costly. The HSE prefer and encourage management of asbestos.*

From the information provided it is evident that the specifier has simply listed every possible conceivable work whether it is required or not.

5.2.1. *Just how anyone can consider window replacement when the existing PVCu windows are approximately 10 years old*

5.2.2. *The specifier should be put to strict proof that the door entry system is in such disrepair that replacement is required.*

5.2.3. *The specifier should be put to strict proof that the CCTV system requires replacing as it should be maintained in full working order in any event as part of normal maintenance.*

5.3. Without the specifier identifying exactly why each element is, in his or her opinion, required then a sensible decision cannot be reached as to the extent of the required works.”

Independent Survey, Arnold Tarling, July 2010

SOUTHWARK LABOUR'S BROKEN PROMISES



We feel that the Labour-run Southwark Council and their consultants are **knowingly misleading tenants** by not following official disrepair criteria therefore choosing to exaggerate by millions of pounds the actual numbers of Decent Homes failures to tenants. The only explanation for this is to **encourage stock transfer**.

YOU HAVE ONLY BEEN IN POWER FOR 4-MONTHS AND HAVE ALREADY MADE A CATASTROPHIC ERROR BY FAILING TO INVESTIGATE WHICH HOMES ARE ALREADY WARM, DRY AND SAFE BEFORE MAKING DECISIONS.



THE PROPOSED WORKS TO FLATS

Proposed Works To Flats

Within the flats:

Replacement of Kitchens:

- Currently these fall below Decent Homes Standards and therefore this work is required to meet council obligations.

Replacement of Bathrooms:

- Currently these fall below Decent Homes Standards and therefore this work is required to meet council obligations.

Rewiring (Landlords Obligations):

- in general the current electrical services are the same age as the building – i.e. approximately 45 years old. Whilst still currently serviceable they are beyond the expected economical lifespan and need upgrading to comply with current standards including provision for the elderly.

Replacement of heating and hot water pipework and fittings (Landlords Obligations):

- as with the rewiring these services are the same age as the building – i.e. approximately 45 years old and near the end of their serviceable life.
- to include new high efficiency radiators with thermostatic valves, and a new programmer to give more efficient control of heating,
- hot and cold water pipework is in poor condition generally and there have been significant leaks over recent years. Pipework is in need of replacement and upgrade throughout the flats.

Extract ventilation (Landlords Obligations):

- Ventilation is currently below standards and will need upgrading to comply with current regulations.

Presentation to Cabinet on 9 August 2010, Barry McCullough : Levitt Bernstein Associates & Jane Adamson : ALS Ltd

“37. Removing kitchen and bathroom replacements, for example, would reduce costs by around £1M to approximately £9.5M. It is difficult, however, to see what other works could be scaled back.”

Cllr Ian Wingfield, Maydew House – Results from the Residents’ Consultation, 9 August 2010

if kitchens and bathroom replacements can be removed then why were they budgeted under “Essential Works”?

-£590,400

Many have been replaced as new and most DO NOT fall below the Government’s Decent Homes Standard

-£415,440

Many have been replaced as new. Most DO NOT fall below the Government’s Decent Homes Standard

-£374,400

-£1,252,800?

This is an exaggeration. There have not been significant leaks as a result of the pipework.

£120,000

“4.1.2.1. The wiring is not VIR, rubber covered or lead sheathed and will remain functional for the life of the building.”

INITIAL REPORT ON PROPOSED WORK,
Arnold E Tarling BSc FRICS MCIARB

“4.2. PLUMBING AND HEATING:

4.2.1. The heating system has previously been replace without the need to decant the tenants.

4.2.2. The domestic hot and cold water plumbing system will, due to its age, require replacing. This can also be undertaken without the need to decant the property.”

INITIAL REPORT ON PROPOSED WORK,
Arnold E Tarling Bsc FRICS MCIARB

Proposed Works

Summary of the works

- **Kitchen and Bathroom replacement** (new kitchen fittings, sanitary ware, floor covering, wall tiling, decorations, mechanical extract fans)
- **Rewire of flats**
- **Boiler / full heating systems replacement**
- **Communal electrical works** (renew mains laterals and upgrade lighting)
- **Window replacement**
- **Upgrade of existing front entrance doors to flats as well as communal doors**
- **Renew door entry system**
- **New roof system / edge protection**
- **Concrete repairs to external cladding and exposed structure**
- **Works to below and above ground drainage**

Presentation to Cabinet on 9 August 2010, Barry McCullough : Levitt Bernstein Associates & Jane Adamson : ALS Ltd

-£1,005,840

-£374,400

-£1,252,800

-£1,736,090

-£1,714,416

-£141,120

-£96,000

-£246,416

Not on budget cost estimate

=£6,567,082
+ £390,000 (Lift Replacement)
=£6,957,082

Why is the remaining £3.5million for "Essential Works" not here?

"2.6.1 The windows are replacement PVCu units that are at most 10 years old. I could not see any reason for their replacement."

The windows were replaced in two phases, the most recent of which was over 15 years ago. The front façade were replaced on phase one and are of a lower standard and are nearing the end of their serviceable life span. In recognition of the other associated works proposed, which requires scaffolding, the window replacement costs is significantly lowered than undertaking this is a one off project at some future point."

Technical response to independent Surveyor's report (Arnold Turling)

Our windows have a lifespan of at least 35 years! Does the Council often replace components 20 years before their expected functioning life?

John Kennedy House on the Hawkstone Estate (Rotherhithe) was refurbished to comply with Decent Homes Standards but *still* has the original single-glazed 1960's windows. There is inconsistency in Southwark's approach.



"Peter John stated that he wanted to change people's perception of Southwark Council. He wants to achieve this by ensuring: that all council employees and contractors spend Council money with the same caution they would spend their own money; and that council employees and contractors treat the public with the same respect and urgency they would for their own family."

Leader, Cllr Peter John, Southwark Forum, 17 June 2010

COUNCIL EXPERT JANE ADAMSON'S (ADAMSON'S LABORATORY LTD) ASBESTOS PRESENTATION TO THE CABINET ON 9 AUGUST 2010

Asbestos in Maydew House

- Asbestos is classified by the HSE as a Cat 1 Carcinogen.
- Exposure to asbestos killed 4500 in 2007 and this is expected to rise over the next 20 years.
- It was an acceptable building material at the time Maydew House was constructed, however we now know different.
- Under the Control of Asbestos Regulations 2006 (CAR) we **ALL** have a responsibility to control and manage the risk and keep exposure to a minimum where ever practical.
- In this practical situation that duty extends to the tenant and equally the contractor.
- Regulation 7 of CAR states that “ in cases of major refurbishment of premises, the plan of work shall, as far as is reasonably practicable, and unless it would cause a greater risk to employees than if the asbestos had been left in place, specify that asbestos shall be removed before any major works begin.”
- The extent of the asbestos containing materials that remain within each property varies, but the extensive amount of survey data indicates that large amounts of asbestos remain in situ. (Most flats were surveyed in 1998 and all were resurveyed in 2009)

Presentation to Cabinet on 9 August 2010, Jane Adamson (ALS Ltd)

Other Category 1 Carcinogens include: Alcoholic beverages, Oral contraceptives, Paint, Salted fish, Soot and Tobacco smoke to name a few!

INCORRECT INFORMATION:

This is quoted from a HSE advert a few years ago which the Advertising Standards Authority forced them to withdraw.

Our Independent Asbestos expert John Bridle (whom Chief Executive Annie Shepperd refused to consult when we residents requested) was actually responsible for successfully bringing this complaint against the HSE for exaggerating its figures.

INCORRECT INFORMATION.

We have spoken to many residents and can not find a single flat that was supposedly surveyed in 2009.

ASBESTOS: TO REMOVE OR NOT TO REMOVE?

It was agreed by the Council's own expert Barry McCullough (Architect, *Levitt Bernstein Associates*) in person at the Cabinet meeting on 9 August 2010 that the electricians were not dangerous and that new wires could be pulled through without disturbing the Asbestos Insulating Board (AIB).

The decision regarding full decanting is based solely upon the Council's own "independent" Asbestos expert Jane Adamson (ALS Ltd) at the Cabinet meeting (9 August 2010) stating that removing the replumbing of the bathroom necessitates removal of the AIB and cannot be done in any other way. This was the only reason why she said total removal of AIB was required and why the Cabinet decided that a total decant of the property is required and total asbestos removal is required.

The HSE agree that if the pipes can be removed without causing damage then the walls should not be touched at all.

"5. As can be seen from the above, there are areas of common ground. However, **there are areas of divergence of opinion, most notably on the proposed removal of asbestos and the associated decanting of resident.** Our response to these issues remains that the asbestos has to be removed as it is foreseeable that it will be disturbed during the course of the improvement works and that decanting is inevitable due to the locations of the asbestos requiring removal."

Strategic Director of Environment and Housing's technical response to independent Surveyor Arnold Tarling's report, August 2010

Independent Surveyor & Arbitrator Arnold Tarling visited the block once more after the Decision meeting in August.

He looked at the plumbing:

- the new plumbing passes through the walls inside sleeves and **can be removed without disturbance,**
- the old plumbing passes through large gaps in the wall below the bath and **can be removed without disturbance.**
- The wash hand basins can be removed by unscrewing - all you need is thick wallpaper paste and a rag to catch any dust.
- The WC is fixed to concrete walls as is the bath.
- Most of the kitchen units are fixed to a concrete wall as is all of the kitchen plumbing.
- The few units that are fixed to the other walls can simply be unscrewed.

"34. It is important to emphasise that Maydew House is not an unsafe place in which to live. **If left un-disturbed the asbestos is perfectly safe.** The block, however, is in extensive need of updating and refurbishment. **These improvement works will disturb significant amounts of asbestos whatever works are carried out which mean that the residents will need to move out while the works take place."**

Clir Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

CONFLICTING EXPERT OPINIONS

5.1 From the brief information provided it is my opinion that the proposed asbestos removal would be in breach of the Control of Asbestos Regulations. Only asbestos that is damaged or is likely to be damaged and cannot be sealed or protected should be removed.

We do not concur with this comment. As asbestos can be reasonable foreseeable to be disturbed during the course of the works, *not to remove the asbestos ahead of the main works would place us in a position of non conformity with the Regulations. As such, our intended approach conforms to the Regulations*

5.2 From the information provided it is evident that the specifier has simply listed every possible conceivable work whether it is required or not.

All of the works are required. The programme has not been over specified, as advised by our independent consultants.

5.3 Without the specifier identifying exactly why each element is, in his or her opinion, required then a sensible decision cannot be reached as to the extent of the required works.

As noted throughout this report, the rationale for the proposed works has been set out. This will enable timely planned preventative maintenance to be undertaken, as endorsed by the Audit Commission. *Better value for money will be achieved via the works packaging and lower reactive maintenance and the resultant disturbance for resident's longer term.*

Strategic Director of Environment and Housing's technical response to independent Surveyor Arnold Tarling's report, August 2010

"3. My cabinet colleagues and I felt that these arguments, which were very well made, merited further investigation. With regard to these issues, we agreed to adjourn any decision on the Maydew House report for a few weeks to receive further feedback from independent experts."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

"4. At our meeting on 9 August 2010, we will be hearing from technical experts on the impact of undertaking major works and will receive more information on the asbestos which is contained within the block. We want to make sure that we have all the facts in front of us when we make such an important decision, which would have a significant impact on people's lives."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

"1. Why is it necessary for the block to be fully vacated for the works to take place?

32. The council's technical advice is that the nature and extent of the works will be highly disruptive and, due to the way that Maydew House has been constructed, is likely to disturb significant levels of asbestos, which is difficult to manage safely with residents in occupation."

Cllr Ian Wingfield, Maydew House – Results from the Residents' Consultation, 9 August 2010

THE DECISION



“At the end of the day two factors weighed heavily on our decision. Firstly, we could not contemplate any resident or visitor to the block coming into contact with asbestos fibres displaced during the duration of the works and secondly we could not risk leaving residents living on a building site for up to two years, including losing basic services for lengthy periods during those works. However much thought and consideration goes into the project management of works such as this there are inevitably things that go wrong, and with the added difficulties which already existed in this project those further problems would make life unbearable for anyone still resident in the block.”

Leader, Cllr Peter John's Blog, 10 August 2010



“Several lessons can be learned from this experience. Firstly, the LibDems are clearly happy to sell off our council housing stock to private developers. Theirs are not 'secret plans' - they are plans which they are implementing when they can get away with it. Secondly, the level of consultation they consider appropriate is pathetic. To expect residents who have lived in a block for 20 or 30 years to get out of their homes in just over 2 months is inhuman and irresponsible.

Thirdly, no council housing in Southwark is safe from the LibDems. Their words are pledges to retain council housing; their actions are to get rid of it. So what estate, or block or house which is currently owned by the Council will not be sold off to private developers if the LibDems continue in power in Southwark after May 6th? The truth is that we cannot believe any pledge that they may make, and that nothing is safe..”

Leader, Cllr Peter John's Blog, February 2010

“Their words are pledges to retain council housing; their actions are to get rid of it.”

FROM THE RESIDENT'S OF MAYDEW HOUSE

"I like where I live, I have spectacular views across London."

"I feel safe in this area."

"It is not for officers to determine what the key issues for residents are"

"Best option for residents to stay in the flats – resident of 30 years"

"I don't think Southwark has any better places than Maydew, for some of us Maydew is a fantastic place to live, Le Corbusier would be proud!"



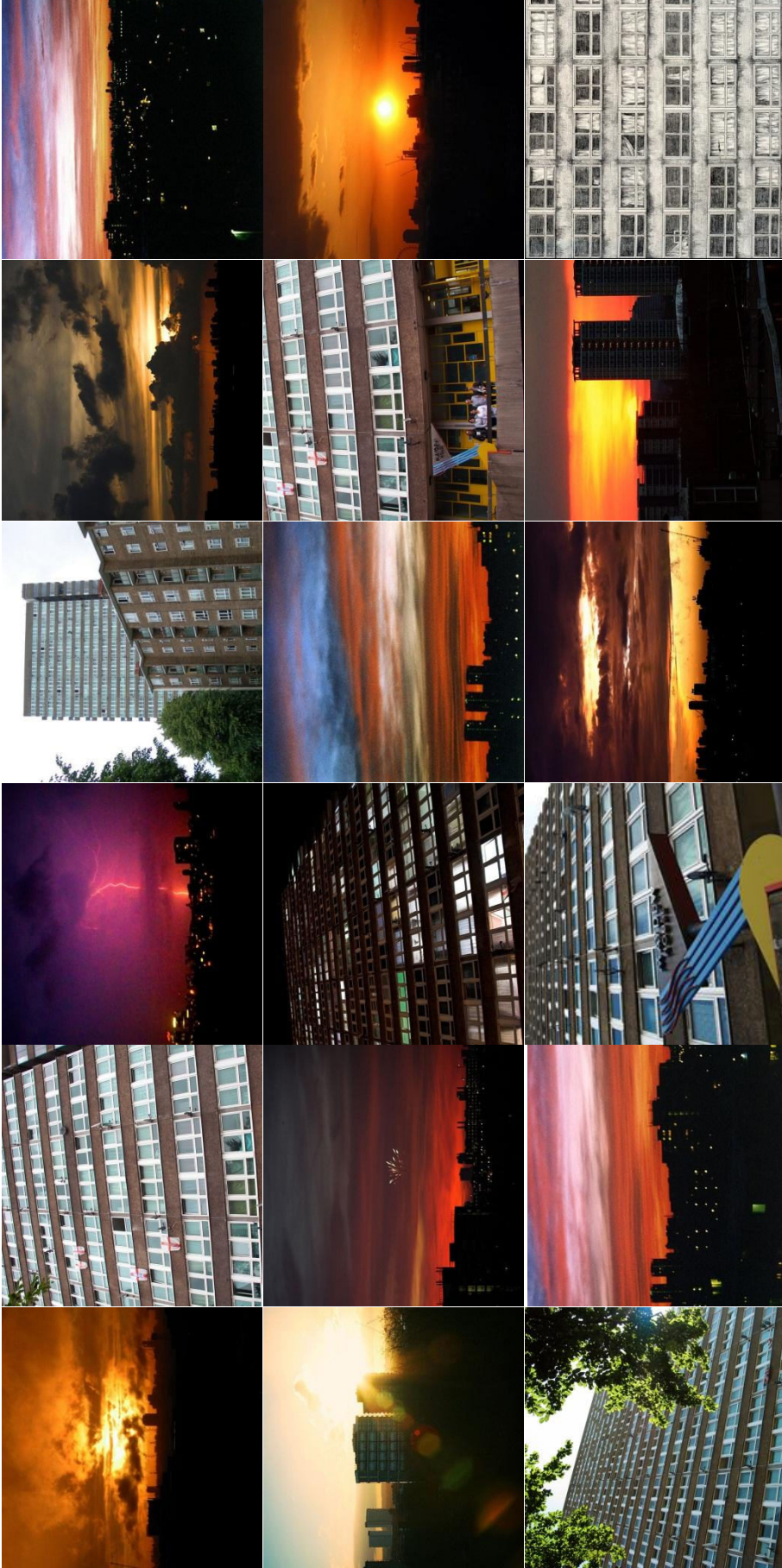
*"I know some residents will have been upset and angered by our decision. But I hope that everyone understands that **we made the decision for the right reasons of health, safety and the proper living conditions of all Maydew's residents.**"*


Leader, Cllr Peter John's Blog, 10 August 2010

"I have spent money improving the flat/How you propose to compensate tenants for improvements they have made to their homes and for the stress and anguish Southwark Council's decision will cause?"

"Maydew is close to public transport specifically the Jubilee and, when it reopens, the East London line."

"...a triumph in social housing, a building the council should be proud to have commissioned and to manage and that could and should continue to provide, cost effectively, wonderfully affordable homes that enhance the quality of life for residents of the borough for many many years to come."




“So it is not just the case that we have 80 days to save Maydew House - we have 80 days to save our entire stock of social housing in Southwark.”
 Leader, Cllr Peter John’s Blog, February 2010

Abbeyfield ESTATE MIRA