

# Housing Scrutiny Committee

8 October 2015

## Capital Programming Scrutiny Review

### Witness Evidence Submitted by Councillors

As set out in the Scrutiny Initiation Document, the Committee agreed that it would receive witness evidence submitted by ward councillors. All members of the Council were contacted and invited to provide witness evidence, particularly relating to consultation, communication, and satisfaction.

The appended evidence has been received from Councillor Martin Klute, who has also provided the following covering comment:

*"It sounds like the borough QS makes up a figure for the works based on a schedule of rates for a 'typical block', then tells the pre-appointed contractor how much it's going to cost. There is no challenging of either the initial costing process, which is vague and generalised to say the least, and no competitive tendering to ensure best value for the works.*

*Also, I don't see how residents can be expected to "engage with the works consultation process" when they still don't have an accurate schedule of what works are required and proposed to be carried out."*

Subject: Re: 042308 - Major Works Enquiries  
 From: [REDACTED]  
 Date: 17/12/2012 12:55  
 To: [REDACTED]@islington.gov.uk  
 CC: "Klute, Martin" <Martin.Klute@islington.gov.uk>

Dear [REDACTED]

Thank you for your reply and our follow up phone conversation this morning. I look forward to further information in respect of question 2 and new question 3.

As I indicated during our conversation, I remain concerned with the process that has been followed to date. Specifically, the lack of further consultation with residents following the poorly attended initial meeting (due to the incorrect date on the initial letter and lack of detail about what the meeting was about) where officers indicated they would look at the issue but LBI policy was to repair rather than replace windows and the submission of a planning application. I still hold the view that the process has not been managed to an appropriate standard and this will result in additional cost for the authority and residents.

I also think it is important that you clarify to all residents our conversation this morning in which you stated that a deed of variation could still be obtained once a Section 20 notice has been issued. I understand from one neighbour they have received contradictory advice from Islington Leaseholders Association/LEASE in a public meeting that was held in the Town Hall on the 12th December. I don't think it is satisfactory to expect residents to contact you to discuss these issues directly when they are also receiving information from other legitimate sources. Will you write to residents to clarify this point?

I reserved the right to consider applying for a DOV once the S20 has been issued and I will be in contact with you again if I require further information on this specific point.

Kind regards,

[REDACTED]

On 13/12/2012 [REDACTED]@islington.gov.uk wrote:

Dear [REDACTED]

I write further to your email sent to [REDACTED] regarding the proposed Major Works affecting your block. Your email was passed to my team to co-ordinate a response to the questions raised, which I am now in a position to do for the majority of the points made. I apologise for the delay in

responding to you.

You list your points of concern as a numbered list, and I have collated our responses to those in the same format - but for the sake of clarity, I have repeated your initial question first.

1) The LBI policy states that Leaseholder feedback should be sought where possible before an indicative costing letter is sent out. This has not happened. How do you plan to address this point before the S20 is issued as it is clear the agreed scope has not effectively captured the views of residents?

The consultation with residents for this project was initiated on 27 June, when members of Islington's project team met with residents to discuss the scope of works. All residents affected by the project were written to, inviting them to attend this meeting. The overwhelming majority of residents present at the meeting on 27 June made strong representations to the effect that the current windows were at the end of their useful life, and should be replaced. Therefore, the views of all residents, regardless of tenure, were sought and taken account of from the outset of the design process, and almost five months prior to the issue of the Indicative Costs Letter.

2) You have not addressed my question with regards to costs associated with the planning application and design of the proposed new windows.

This process has happened before the consultation period has commenced therefore no costs associated should be passed onto residents. Please can you confirm that this is correct?

We are continuing to investigate this issue with our colleagues within Property Services, and I hope to respond to you shortly in respect of this matter.

3) I still remain unclear about the surveys that have already been undertaken at the site. You have mentioned in your email that Islington staff/contractors have visited the site. However, it seems that the freshly painted metal railings have been overlooked. I do not understand how this could have taken place? Please can you send me copies of these surveys as I requested in my previous email?

Site surveys have indeed been undertaken, and the proposed scope of works reflects the findings of those surveys. Please note, however, that further detailed surveys are on-going, and that the final scope of works will reflect the results of these detailed surveys. Once surveys are complete they will form the basis of a detailed task price, and full details will be available for leaseholders to view. In the meantime the scope of works and costs that you have been sent are indicative and based on borough averages. Please be assured that no painting will be instructed to railings that have been very recently painted.

#### Additional Questions:

1) Firstly, I would like to place on record that I am formally objecting to the proposed cost which is quite extraordinary. I own a 1 bedroom flat with 3 windows and have communal responsibility for a further window. I cannot understand how the proposed work can come anywhere near the 11-12k suggested.

Your objection has been duly noted. However, I would like to clarify a few things to do with the cost of works. As the Indicative Costs Letter makes clear, the estimate of £11,000 - £12,000 represents a very rough guide on the potential cost of works. Once the scope of works has been finalised, formal Section 20 consultation will then follow. This marks the start of a 30-day period within which leaseholders can make observations based on the notice they have received, inspect documents relating to the project and

attend a meeting called for leaseholders to discuss the works ahead. The notice will state what works are to be carried out, why we are carrying them out and an estimate of how much you will be recharged for the works. This amount will also represent the maximum which can be recharged in respect of the works as described in the notice. We will endeavour to address all leaseholder concerns throughout the major works process.

2) Please can you provide me with a breakdown of how the cost was calculated?

The Indicative Costs letter attempts to give an idea of cost as an early

indication, and encourage leaseholders to engage with the works consultation process. However, we do not have detailed back-up information for the costs indicated within the letter. The block cost used was calculated by Islington's Quantity Surveyor for the project, based on the size of the building and scope of works. This is provided to us as a simple statement of communal cost for a given building, which we then turn into a ranged statement for each leaseholder by dividing that figure by the amount of units in the building.

3) The letter refers to 'my block'. I don't live in a block. Last year the service charges for my property and others were calculated on the basis the whole street was designed as a high rise building that shared an entrance. This is not the case and was subsequently corrected. Please can you confirm what constitutes the 'block' that is referenced in the letter?

Major works is usually recharged to the building within which a leasehold property is situated. However, I will undertake to investigate this matter further with our legal department, and I will write to you again when I have further information.

4) Please can you confirm the number of bids you will be seeking for this work to ensure it is appropriately costed.

The proposed works will be carried out under a Qualifying Long Term Agreement, set up after consultation with all leaseholders in 2010. This arrangement was entered into pursuant to Landlord and Tenant Act 1985, Commonhold and Leasehold Reform Act 2002 and Schedule 3, Service Charges

(Regulations) 2003. The long term agreement was subject to an open tendering exercise, and advertised in the Official Journal of the European Union.

Ultimately, this means that there is only one statutory stage of consultation and that we will not be seeking bids for this individual programme of works.

I trust that the responses I have provided thus far have been useful, but if I can be of further assistance in this or any other matter, please do get in touch.

Kind regards,

██████████  
Major Works Officer (Consultation)  
Home Ownership Unit  
Islington Council  
3rd Floor, Highbury House, London N5 1RN  
Tel: ██████████  
Alternative Contact ██████████

[www.islington.gov.uk](http://www.islington.gov.uk)<<http://www.islington.gov.uk>>

How to find us:

<http://www.islington.gov.uk/about/contact-complaints/visitingoffices/Pages/highburyhouse.aspx>

This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

-----  
No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2013.0.2805 / Virus Database: 2637/5982 - Release Date: 12/23/12