

Minutes

PETITION HEARING - CABINET MEMBER FOR SOCIAL SERVICES, HEALTH AND HOUSING

27 September 2011

Meeting held at Committee Room 3 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Philip Corthorne</p> <p>LBH Officers Present: Gary Collier (in part), Barry Newitt (in part), Grant Walker and Nikki O'Halloran</p> <p>Also Present: Councillors Lynne Allen (4 & 5), Peter Curling (4 & 5), Janet Gardner (3), Phoday Jarjussey (3) and Mo Khursheed (3)</p> <p><i>* Numbers in brackets are the agenda item numbers that these Councillors were present for</i></p>	
1.	<p>TO CONFIRM THAT THE BUSINESS OF THE MEETING WILL TAKE PLACE IN PUBLIC. (Agenda Item 1)</p> <p>RESOLVED: That all items be considered in public.</p>	Action by
2.	<p>OBJECTIONS FROM JUPITER HOUSE RESIDENTS TO THE CHANGE OF SUPPORT SERVICE PROVIDER (Agenda Item 3)</p> <p>Councillors Janet Gardner, Phoday Jarjussey and Mo Khursheed attended as Ward Councillors in support of the petition.</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"><i>The lead petitioner advised that the 90 residents at Jupiter House had not been advised as to what was going on and that a decision had been made without them. Residents had been keen to be involved in the process but had not been advised of which organisations had been shortlisted to provide the service;</i><i>Some residents of Jupiter House had previously lived in YMCA run establishments and had not had a pleasant experience. They felt that there was a possibility that YMCA might treat Jupiter House as a hostel and not think of the needs of its residents;</i><i>Residents at Jupiter House often had complex care needs and were worried that their needs would not be met once YMCA had taken over;</i><i>Concern was expressed about the continuity of services once YMCA had taken over, e.g., would the IT facilities, education, training and employment support facilities be retained;</i><i>It was stated that the number of complaints about Jupiter House had decreased over the last two years and the number</i>	Action by

regarding YMCA residents had increased;

- *As a result of discussions with residents, future procurement processes would include consultation that strongly emphasised how important it was for service users and stakeholders to respond; and*
- *The local Ward Councillors would continue to hold monthly ward surgeries at Jupiter House to address any concerns that the residents might have about the changes as they were implemented or any changes in standards.*

Councillor Philip Corthorne listened to the concerns of those present and responded to the points raised. He advised that he had no power to reverse the decision to let the contract to YMCA.

The Young People and Care Leavers Strategy had been developed in 2009 and had resulted in an open tendering process taking place in 2010 in relation to residential facilities across the Borough. With regard to the process that had been undertaken, it was noted that the Council had consulted with the Jupiter House residents (a focus group of Jupiter House residents and a questionnaire) as well as with care leavers.

It was noted that the YMCA-run Ventura House in Hayes was not comparable with Jupiter House as it was a hostel rather than a foyer. Officers advised that they had not approached tenderers to arrange visits to one of their comparable foyers as it was likely that they would have been shown an extremely good example rather than a typical example which would not have been helpful.

Although the Council had not been permitted to involve current service users in the tender evaluation process (as there would have been a conflict of interest), more could have been done to ensure that they were aware of what was being proposed. The Head of Democratic Services and the Borough Solicitor would be asked to review the consultation process that had been undertaken in relation to Jupiter House and provide the Cabinet Member with guidance on these procedures for future reference.

It was noted that West London YMCA had written to all Jupiter House residents on 1 September 2011 to explain about the future service provision but that these letters had not been received. Petitioners were advised that the service provision would remain largely the same and that there were a number of current staff that would transfer to YMCA under TUPE. Officers were asked to ensure that Jupiter House residents were provided with a copy of the letter (which confirmed responses to questions raised at the residents' meeting that took place on 11 August 2011) and a copy of the new service specification.

Petitioners were assured that Mr Chris Bewley would be managing the YMCA contract at Jupiter House. Mr Bewley would make regular visits to the premises so that he could receive feedback on the service provision. It was noted that, whilst West London YMCA would be providing the service, the building would still be managed by Stonham.

	<p>RESOLVED: That the Cabinet Member:</p> <ol style="list-style-type: none"> 1. acknowledged the petitioners' concerns and notes the content of the report for the purpose of responding to the petition; 2. asked officers to ensure that Jupiter House residents were provided with the letter from West London YMCA confirming responses to questions raised at the special residents' meeting that took place on 11 August 2011 and also access to a copy of the new service specification; and 3. requested that the Head of Democratic Services and the Borough Solicitor review the consultation process that was undertaken in relation to Jupiter House and provide the Cabinet Member for Social Services, Health and Housing with guidance on these procedures for future reference. <p>REASONS FOR RECOMMENDATION</p> <p>The Cabinet Member has all the required information available to enable him to respond to the petition.</p> <p>ALTERNATIVE OPTIONS CONSIDERED</p> <p>No alternatives were considered.</p>	<p>Barry Newitt / Gary Collier</p> <p>Lloyd White / Raj Alagh</p>
<p>3.</p>	<p>AVONDALE DRIVE, HAYES - WINDOW SAFETY, SUITABILITY AND FUNCTION (<i>Agenda Item 4</i>)</p> <p>Councillors Lynne Allen and Peter Curling attended as Ward Councillors in support of the petition.</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"> • <i>The petitioners advised that there were several inaccuracies within the report in relation to:</i> <ul style="list-style-type: none"> ○ <i>the opening size of the windows – the open space created by the widows was now larger;</i> ○ <i>the information contained within the Council's press statement which was only changed after a complaint to the Press Complaints Commission was upheld;</i> ○ <i>the petition having comprised one survey when it was in fact three residents' surveys; and</i> ○ <i>the statement about residents' concerns being of utmost importance to the Council – the lead petitioner suggested that this would be best proved through actions and not words;</i> • <i>Residents noted that there had be no representatives from the windows programme, installers, etc, present at their AGM in 2010 despite 8 or 9 individuals being invited;</i> • <i>It was suggested that, rather than fitting Jacklocs, it would be better (and cheaper) to fit lockable handles which could probably be sourced locally;</i> • <i>Children had been seen standing at open windows in flats that</i> 	<p>Action by</p>

were on the upper levels of the blocks and an elderly lady had been seen hanging out of her open window;

- Although residents had been advised that the Jacklocs would be fitted by the end of August 2011, the work had still not been completed. When a Ward Councillor had contacted officers to find out what had caused the delay, they had been advised that officers would chase the contractor. It was subsequently established that the contract had not yet been let;
- It had been left to the residents to identify the safety issues in relation to the new windows;
- When the windows were fitted in the pilot property, residents had raised concerns about safety but that nothing could be done as the windows had already been purchased. There had been no consultation even though it had been promised;
- Residents insisted that there had been posters available at the open meeting held in March 2010 but that there had not been a slide show;
- The windows at Skeffington Court were half the size of the new ones which implied that they were half as dangerous;
- Some residents had had to ask the Council for poles to use to close their windows once they had been opened. It was believed that these should have been given out as standard;
- The window replacement programme started on 20 September 2010 and the operating instructions for the windows were received by residents on 17 December 2010;
- One of the residents had already reported a total failure with one of the windows that had been replaced;
- Although the sills were not low, there were a number of people that would need to stand on a chair to clean their windows which would increase their chance of falling out;
- It was suggested that any funding available would be better spent on the installation of window safety features rather than on an independent window expert;
- Not all of the residents had requested the installation of Jacklocs. Petitioners believed that this might be, in part, due to residents' reluctance to have the contractors back in their houses again; and
- Residents requested that they be given the option of Jacklocs as well as lockable handles which should be compulsory.

Councillor Philip Corthorne listened to the concerns of those present and responded to the points raised. It was noted that Jacklocs had been suggested as they were a visible indicator as to whether or not the windows were secure. The installation of these would be starting in the 77 properties that had requested them in the week commencing 3 October 2011.

All of the replacement windows had built in safety devices – two of which needed to be released to enable the window to rotate on the central axis. Furthermore, as the sill height was 1100mm, the chance of an individual toppling out had been mitigated.

As a result of the points raised, Councillor Corthorne stated that he

	<p>would require more time to be able to look at the options available and possible solutions. He would make a decision on the matter outside the meeting and the petition organiser would be contacted and advised of this decision in due course.</p> <p>RESOLVED: That the Cabinet Member:</p> <ol style="list-style-type: none"> 1. noted the actions being taken by Hillingdon Housing Service to address the concerns raised by the petitioners about the safety, suitability and functions of the new windows installed in their flats; and 2. advised that he would reflect on the discussion at the meeting and seek further information from officers about the installation of Jacklocs and lockable handles before advising the petition organiser of any further action that would be taken. <p>REASONS FOR RECOMMENDATION</p> <p>To identify a way forward that addresses the concerns of residents about the safety, suitability and function of the windows.</p> <p>ALTERNATIVE OPTIONS CONSIDERED</p> <p>To commission an independent window expert to advise.</p>	Grant Walker
4.	<p>AUSTIN ROAD ESTATE, HAYES - PETITION IN RELATION TO HEATING CHARGES AND REFUND (<i>Agenda Item 5</i>)</p> <p>Councillors Lynne Allen and Peter Curling attended as Ward Councillors in support of the petition.</p> <p><i>Concerns, comments and suggestions raised at the meeting included the following:</i></p> <ul style="list-style-type: none"> • <i>There were inaccuracies within the report which included reference to a petition that had been submitted in March 2010 (not July);</i> • <i>The petition had been submitted to Hillingdon Homes. Concern was expressed that Hillingdon Homes' guidelines for considering petitions specified that they would be considered within a specified period – this had not been adhered to;</i> • <i>Petitioners had been offered possible meeting dates in September 2010 by Hillingdon Homes but were given no more than 11 days' notice. The dates offered were not suitable as the petition organiser was unable to attend and the meeting never took place;</i> • <i>Although Hillingdon Homes had gone back into the Council in October 2011, the petition took another 11 months to get to a Petition Hearing;</i> • <i>The Council was aware that there would be issues with regard to the apportionment of energy costs in 1999 which was subsequently documented in numerous Council reports;</i> • <i>The scheme of heating charges had increased by 4½% in March 2007. Although the Council had been challenged on the</i> 	Action by

subsequent refund, residents had not been provided with an adequate explanation;

- There had been a significant change in the amount of money refunded to some residents in 2008/2009 which had then reverted back to the expected level in 2009/2010;*
- One of the residents' refund had been recorded as: 2007= £294.35; 2008 = £244.35 (£184.86 + £59.39); 2009 = £36.95; 2010 = £318.49; 2011 = £399.56. The amount paid by the resident had not changed dramatically and it was queried why the amount refunded in 2009 was so different to all other years;*
- The temporary solution that had been put in place to apportion the costs had lasted four years;*
- The current apportionment did not take into account the number of people living in the property (and therefore using hot water) or how frugally some residents might use energy. This led to some residents subsidising the refund received by others that had not been quite so careful about their energy usage; and*
- It was suggested that it might have been better to wait until the new boilers had been fitted before the refunds had been given out.*

Councillor Philip Corthorne listened to the concerns of those present and responded to the points raised. He apologised for the unacceptable length of time it had taken for the petition to be considered. It was noted that the petition had been overlooked in the transfer to the Council in October 2010.

Residents had been charged a regular amount during the year to cover the cost of the fuel, maintenance, etc. If, at the end of the year, there was a financial surplus, residents had been given a refund. If there was a deficit, they were charged for the difference. Once the equipment had become obsolete, there had been no accurate way to measure how much energy had been consumed by each property. It was noted that the Council did not know how many people lived in each property so would have been unable to base the refunds on occupancy.

The way that the refunds had been calculated had not changed in the last four years. As such, officers were asked to investigate why there had been such a change in the refund received in 2009 (as specified above) and report back to the Cabinet Member by 5 October 2011. This information would then be shared with the petition organiser.

RESOLVED: That the Cabinet Member:

1. noted:

- (a) the reasons for the delays in hearing this petition;**
- (b) the actions being taken by Hillingdon Housing Service to address the concerns raised by the petitioners;**
- (c) the actions taken to implement a permanent solution by replacing the obsolete heating and hot water meters; and**
- (d) the developments that emerged during the installation of new meters and actions taken to**

	<p style="text-align: center;">resolved these; and</p> <p>2. requested that officers investigate the reasons for the fluctuation in one of the residents' refund (as detailed above) and report back to the Cabinet Member.</p> <p>REASONS FOR RECOMMENDATION</p> <p>To address the concerns raised within the petition and at the Petition Hearing.</p> <p>ALTERNATIVE OPTIONS CONSIDERED</p> <p>Using the previous year's readings and distribution based on number of bedrooms.</p>	Grant Walker
<p>The meeting, which commenced at 7.00 pm, closed at 8.37 pm.</p>		

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nikki O'Halloran on 01895 250472. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.