



HILLINGDON
LONDON



Petition Hearing - Cabinet Member for Finance, Property and Business Services

Date: WEDNESDAY, 24 JUNE
2015

Time: 7.00 PM

Venue: COMMITTEE ROOM 3
CIVIC CENTRE
HIGH STREET
UXBRIDGE UB8 1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

Cabinet Member hearing the petitions:

Jonathan Bianco, Cabinet Member for
Finance, Property and Business Services
(Chairman)

How the hearing works:

The petition organiser (or his/her
nominee) can address the Cabinet
Member for a short time and in turn the
Cabinet Member may also ask questions.

Local ward councillors are invited to these
hearings and may also be in attendance
to support or listen to your views.

After hearing all the views expressed, the
Cabinet Member will make a formal
decision. This decision will be published
and sent to the petition organisers shortly
after the meeting confirming the action to
be taken by the Council.

**This agenda and associated
reports can be made available
in other languages, in braille,
large print or on audio tape.
Please contact us for further
information.**

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<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=269&Year=2015>

Putting our residents first

Lloyd White
Head of Democratic Services
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Useful information for residents and visitors

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Agenda

CHAIRMAN'S ANNOUNCEMENTS

PART 1 - MEMBERS, PUBLIC AND PRESS MAY ATTEND

- 1 Declarations of Interest in matters coming before this meeting
- 2 To confirm that the business of the meeting will take place in public.
- 3 To consider the report of the officers on the following petitions received.

Please note that individual petitions may overrun their time slots. Although individual petitions may start later than advertised, they will not start any earlier than the advertised time.

	Start Time	Title of Report	Ward	Page
4	7.00 pm	Request for replacement windows at Rabbs Mill House, Uxbridge	Uxbridge South	1 - 4
5	7.00 pm	Avondale Drive Tower Blocks - Request for action to be taken to address, Damp and Condensation and associated Health & Safety Issues	Townfield	5 - 8
6	7.30 pm	Request for the provision of toilets in the vicinity of Uxbridge Bus and Underground Stations	Uxbridge North	9 - 12

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Agenda Item 4

RABBS MILL HOUSE (TOWER BLOCK), 14 CHILTERN VIEW ROAD

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property & Business Services
Officer Contact	Perry Scott, Residents Services
Papers with report	None
Reasons for urgency	To ensure the necessary information is available to the Cabinet Member and petitioners for the meeting.

HEADLINE INFORMATION

Purpose of report	To inform the Cabinet Member that a petition was received by the Council from the Rabbs Mill House Residents Association dated 12 th November 2013. The petition has 41 signatories and requests that the Council considers installing new windows to all properties within the block, Rabbs Mill House, Chiltern View Road, Cowley. This is eligible for consideration at a Petition Hearing with the Cabinet Member for Finance, Property & Business Services.
Contribution to our plans and strategies	Putting our residents first: Our built environment.
Financial Cost	Dependent of future decisions
Relevant Policy Overview Committee	Corporate Services & Partnerships Social Services, Housing & Public Health
Ward(s) affected	Uxbridge South Ward

RECOMMENDATION

That the Cabinet Member:

1. Meets the petitioners and considers their request that the Council implements a programme of works to include the replacement of the existing windows.
2. Decides on the appropriate course of action having met with the petitioners.

INFORMATION

Reasons for recommendation

To allow the Cabinet Member to consider the petition with the petitioners.

Alternative options considered

These can be identified from the discussions with the petitioners.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

A petition was received by the Council from the Rabbs Mill House Residents Association dated 12th November 2013. The petition has 41 signatories and requests that the Council considers installing new windows to the 78 dwellings within the block.

The residents have signed the following statement:

“We the undersigned petition the Council to would like to register our immense dissatisfaction with the replacement window scheme at Rabbs Mill House. Our windows were due to be replaced 2012/13 which then changed to 2013/14 and now we have been told it will not happen and no confirmed date can be given. Our heating bills are extortionate and our flats cold, due to the windows. We would request an investigation into this ASAP.”

Background

Rabbs Mill House is a Large Panel System (LPS) tower block of 14 storeys built in approximately 1965 and comprises 78 flats. Following the Ronan Point disaster in 1968, where a 22 storey tower block of this design collapsed following a gas explosion, the block was stripped of all gas services and a structural refurbishment was carried out eventually completing in the early 1980's. As part of this refurbishment the windows were replaced.

Since 1986 the block has been managed by a Tenant Management Organisation (TMO) and was recently renewed for a further 5 years from 2014 - 2019. While the TMO delivers some of the housing management functions, the Council retains responsibility for other functions such as major works maintenance, major repairs and the management of tenancies and leases. The current occupation structure is 52 tenants and 26 leaseholders.

Leaseholders in the block have been consulted through the current TMO and the management organisation is in agreement with the programme.

A programme of window replacement works was prepared for the HRA Works to Stock Programme for 2013/14. However, this was placed on hold when the Council decided to undertake an independent stock condition survey to ensure that the annual programme of works across the HRA stock was appropriately focused and prioritised.

Officers are currently preparing updates for Members in relation to the Windows Replacement Programme for the current year which will include Rabbs Mill House.; costs are expected to be in the region of £340,000 for the Rabbs Mill House works.

Financial Implications

Should a decision be made to replace the windows and subject to final tenders, the likely financial cost to the Council would be in the region of £340k. A significant proportion of the costs associated with the window replacement is due to access requirements but this estimate has been substantially reduced by the use of a proprietary access platform system rather than traditional scaffold.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The recommendation will enable the Cabinet Member to discuss with the petitioners their concerns, and allow due consideration on whether or not to agree to their requests.

Consultation Carried Out or Required

This Petition Hearing is an established part of the Council's consultation and Democratic process.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above.

Legal

The Borough Solicitor confirms that the Council is responsible for replacing the windows at Rabbs Mill House pursuant to its repairing obligations under section 11 of the Landlord and Tenant Act 1985.

BACKGROUND PAPERS

Petition.

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REQUEST FOR THE PROVISION OF PUBLIC TOILETS IN THE AREA AROUND UXBRIDGE UNDERGROUND AND BUS STATIONS

Cabinet Member(s)	Councillor Jonathan Bianco
Cabinet Portfolio(s)	Finance, Property and Business Services
Officer Contact(s)	Robert Williams - Residents Services
Papers with report	None
Reason for urgency	To ensure the necessary information is available to the Cabinet Member and petitioners for the meeting.

HEADLINE INFORMATION

Summary	To inform the Cabinet Member that the Council has received a petition from residents of the Borough requesting that toilet facilities be provided in the Uxbridge Underground and Bus Station area.
Contribution to our plans and strategies	Putting our Residents first: Our built environment.
Financial Cost	There are no costs associated with the recommendations to this report.
Relevant Policy Overview Committee	Corporate Services & Partnerships Social Services, Housing & Public Health
Ward(s) affected	Uxbridge North

RECOMMENDATIONS

Meeting with the Petitioners, the Cabinet Member:

1. Considers the issues raised and advises of the issues involved with providing new facilities in the requested area;
2. Instructs officers to lobby both TfL and London Underground for the re-opening of the public toilets in the underground station;
3. If so minded after the hearing, instructs officers to compile a further report, with options for consideration, including the compilation of a list of publicly available toilet facilities, with times of opening and including the identification of facilities for disabled users.

Reasons for recommendations

The petition hearing will provide a valuable opportunity to hear directly from the petitioners about their concerns and suggestions.

Lobbying for the reopening of the toilets in the underground station is in the interest of residents.

Many residents may not appreciate where alternative facilities may be available in the town centre.

Alternative options considered / risk management

None at this stage.

Policy Overview Committee comments

None at this stage.

INFORMATION

The Petition

A valid petition with 35 signatures from residents of the Borough has been received. On the petition template, the lead petitioner states the petition topic to be *"The absence of toilets in the vicinity of Uxbridge Bus and Underground Stations"*. The lead petitioner indicates that the desired outcome is *"The installation of toilets to serve the above area. L.T are at present refusing to re-open the existing facilities in the underground station"*.

The Uxbridge station area is a busy bus, taxi and underground inter-change. Some of the people using the interchange may be in the middle of a long journey and in need of toilet facilities. The public toilets in the underground station have been closed for some time. Unfortunately, this is common with such public access facilities, owing to costs arising from anti-social behaviour and vandalism that sometimes occurs.

The Council provides public toilets across the Borough. Owing to problems with anti-social behaviour and vandalism, provision in town centres and business areas is now largely limited to automated public convenience (APC) type units. These units need to be located on a suitable plot of highway or Council controlled land of sufficient size and with reasonable access to a foul sewer, a water supply and electricity supplies. Installation of any such unit requires planning permission and the unit must be positioned in such a way as to not inconvenience or endanger users of the highway.

It is most unlikely that a suitable location would be found in the small town centre area, owing to the differing private land ownerships and the limited pedestrian space available. In a busy and highly developed commercial setting, running new service connections underground to such a unit can also be very challenging, owing to the concentration of many critical underground services, such as telecommunications, cable TV, fibre, water, gas and electricity supplies.

The area immediately outside the Underground Station is owned in part by London Underground and there are a number of cafes with outdoor seating in this area. Even if a space could be found, it is highly unlikely that a unit could be installed without strong objections from town centre businesses. The public area of the bus station has limited pavement widths and thus siting a unit there would be even less practicable owing to the need to preserve adequate pavement widths for pedestrians.

The open and public nature of the town centre presents privacy concerns and the toilet would inevitably be in view of passers-by, and users of the local cafes and restaurants. This could possibly deter some people from openly making use of the facility.

Alternative Existing Town Centre Provision

There are public toilets in both nearby shopping centres; The Chimes and The Pavilions. During trading hours people may use these facilities. Many fast food outlets, coffee shops, pubs and some larger shops also have free toilet facilities and these will often remain open for longer than the two shopping centres. The Council provides toilet facilities in the nearby Uxbridge Library, which is located in the High Street, around 75 yards away. The library is open at weekends.

Financial Implications

There are no financial implications associated with the recommendations to this report. If expenditure of any kind is subsequently required, suitable funding will need to be identified in accordance with financial processes.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member an opportunity to discuss the petitioner's concerns in detail.

Consultation Carried Out or Required

None at this stage.

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and confirms that there are no direct financial implications arising from the recommendations above.

Corporate Property and Construction

There are no Corporate Property and Construction implications arising from the recommendations in this report.

Legal

In considering any informal consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

Should there be a decision that further measures are to be considered then the relevant statutory provisions will have to be identified and considered. If specific advice is required, Legal Services should be consulted.

BACKGROUND PAPERS

Petition.

AVONDALE DRIVE TOWER BLOCKS

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Finance, Property & Business Services
Officer Contact	Perry Scott, Residents Services
Papers with report	None
Reasons for urgency	To ensure the necessary information is available to the Cabinet Member and petitioners for the meeting.

HEADLINE INFORMATION

Purpose of report	To inform the Cabinet Member that a petition was received on 4th March 2015. The lead petitioner is the Chairman of the Avondale Residents Association. With 101 responses it requests that the Council considers rectifying the issues of damp, condensation and related health and safety risks to avoid litigation. This is eligible for consideration at a Petition Hearing with the Cabinet Member for Finance, Property and Business Services.
Contribution to our plans and strategies	Putting our residents first: Our built environment
Financial Cost	TBC and dependent upon future decisions
Relevant Policy Overview Committee	Corporate Services & Partnerships Social Services, Housing & Public Health
Ward(s) affected	Townfield

RECOMMENDATION

That the Cabinet Member:

1. Meets the petitioners and considers their request that the Council investigates and rectifies the issues arising from damp, condensation and related Health & Safety issues.
2. Decides on the appropriate course of action having met with the petitioners.

INFORMATION

Reasons for recommendation

To allow the Cabinet Member to consider the petition with the petitioners.

Cabinet Member Petition Report - 24 June 2015

Alternative options considered

These can be identified from the discussions with the petitioners.

Comments of Overview Committee(s)

None at this stage.

Supporting Information

1. A petition was received on 4th March 2015 with 101 responses requesting that the Council considers rectifying the issues of damp, condensation and related health and safety risks.
2. The residents have completed questionnaires regarding their individual dwellings in respect of the issues of damp, condensation and related health & safety risks.

Background

The three high-rise tower blocks on Avondale Drive are contained within the Birchway Estate in the Townfield ward of the Hayes and Harlington constituency: Fitzgerald House, Glenister House and Wellings House. Each block is 12 storeys high, with each containing 48 flats. The blocks themselves were constructed in the late 60's and are of the "Bison Wall Frame system" type although the blocks were cladded in brick post-construction.

The three tower blocks are all of mixed tenure as follows:

Fitzgerald House

38 Owned flats
4 Leasehold flats
4 Short-life properties
2 properties currently being processed under Right to Buy

Glenister House

37 Owned flats
7 Leasehold flats
1 Short-life property
3 properties currently being processed under Right to Buy

Wellings House

36 Owned flats
8 Leasehold flats
3 Short-life properties
1 property currently being processed under Right to Buy

A resident survey of the estate organised by the Avondale Tenants and Residents Association in March 2015 received 101 responses, 49% of which referred to condensation, damp or mould issues in their home. The Council's own records for repairs to these blocks list 36 separate instances tackling dampness or mould issues since 2009.

The Council carried out stock condition surveys to 112 of the 144 flats in 2010 but none were identified as having dampness or mould growth issues of more than 'moderate concern' (and that only to one flat). Further, a specialist investigation was carried out in 2010, following resident complaints of dampness and mould. Findings indicated that the four flats surveyed had damp and mould caused by condensation. The survey identified failings with, and recommended upgrades to, the heating and ventilation systems within the flats.

In 2012, the Council arranged for a pilot project to be carried out to one void flat to install internal insulation and a mechanical heat recovery system at a cost of approximately £30k. The Council decided not to proceed with rolling out this work further at that time as it proved to be more intrusive and time consuming than had been predicted.

A programme of electrical upgrades to all three tower blocks (including new storage heaters and extractor fans) was then prepared for the HRA Works to Stock Programme for 2013/14. This was subsequently placed on hold whilst the Council undertook an independent stock condition survey of the HRA stock to inform a wider programme of works.

Current situation

The results from the recent stock condition survey are currently being collated and assessed and will be used to inform a recommended works programme for Avondale Drive tower blocks. This will require leaseholder consultation.

Energy Efficiency

Whilst the energy efficiency Standard Assessment Procedure (SAP: method for calculating the energy consumption of dwellings) are above the Council's average, the Council would look to improve this with any future agreed works to address the condensation issues.

The blocks differ in the way ventilation is provided. Ventilation was installed during construction:

- Glenister House has a negative extraction system through the roof of the building. (It sucks the dirty / damp air out of the flats)
- Fitzgerald & Wellings had the main shaft constructed in preparation for the same negative extraction system but this was never installed as individual ventilation systems were installed in each flat which have proved to be less efficient.

When new double glazing was fitted approximately four years ago, there was a reduction in drafts within the properties. As a consequence, this has increased the incidence of condensation within the flats especially in Fitzgerald and Wellings with less of an issue at Glenister House where the negative extraction is in place.

Therefore, consideration will be given to whether it is feasible to install negative extraction ventilation systems at Fitzgerald and Wellings as there are far fewer issues at Glenister House where the original ventilation system is still in place.

Financial Implications

Should the Cabinet Member request a programme of works is prepared this will be costed by officers. Additional funding is likely to be required depending on the final recommended solutions.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The recommendation will enable the Cabinet Member to discuss with the petitioners their concerns, and allow him to consider whether or not to agree to their requests.

Consultation Carried Out or Required

This Petition Hearing is an established part of the Council's consultation and Democratic process.

CORPORATE IMPLICATIONS

Corporate Finance

Key stock condition works being considered for the Avondale tenants to include heating renewals and fire door replacements. Additionally, the installations of negative extraction systems for ventilation are being considered for both Fitzgerald and Wellings House. These costs are likely to be significant although they are not quantified at this stage. However, as the ventilation works are to the building as a whole then a proportion of the costs could be recharged to the leaseholders.

The report outlines significant works which could require significant funding from the Works to Stock budget. Investigative work is to take place to provide robust data for considering future options, and a structural engineer is to be engaged within existing budgetary provision.

The next stage of work should provide a framework for proceeding with an indication of likely costs. A financial appraisal can then be undertaken on the VFM implications of progressing the work and identifying budgetary provision if required.

Legal

The Council's repairing obligations towards its tenants include dampness or condensation in its properties; it is obliged to rectify these issues where the problems have arisen because of the condition of the property. Also, Section 4 of the Defective Premises Act 1972 requires the Council to ensure that its tenants are not at risk of personal injury arising from the state of the premises.

The report explains the steps that the Council proposes to take in order to comply with its repairing obligation. Further legal advice will be provided whenever necessary.

BACKGROUND PAPERS

Questionnaires from 101 residents.

Cabinet Member Petition Report - 24 June 2015