10+storey news update August 10 2018

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LEASEHOLD TRIBUNAL

Wandsworth submitted its application to the Leasehold Valuation Tribunal (now known as the First Tier Tribunal or FTT) a couple of weeks ago. The Tribunal has written back with directions and the Council has to write out to all affected leaseholders by 17th August with a copy of these directions, the council's application and the response form. A case management hearing is to be held on September 27th and the full hearing may be in November. I have asked the Council to copy me in on the letter to leaseholders so I can also keep Council tenants and others informed but am not sure if they will do so.

A CROSS-BOROUGH CAMPAIGN

I went to a meeting of Residents' Associations from the east of the Borough that was held in Battersea on Tuesday, which was also attended by one of the Labour councillors for that area, Maurice McLeod. There is similar anger there to that which I have seen in West Hill and Roehampton. The same six general areas of concern arose there as over here, viz.:

- the need – when those fires which have spread in high rise blocks have almost all been because of cladding tiles (the only exception the Council has managed to come up with involved wooden balconies, not a common feature of our blocks) then why do we need sprinklers in blocks without cladding?

- the cost – directly to leaseholders and indirectly to tenants (through the Housing Revenue Account) – the Council estimates the cost to the HRA will be a whopping £24 million though it could be higher if the sprinkler trade cashes in and if asbestos is an issue in any of the blocks;
- possible problems with accidental or vandalistic triggering of the sprinklers;
- the disruption the works will cause – both while they are being carried out and to the decoration in the properties – and the poor track record of the Council in doing major works properly;
- the sense of homes being 'invaded' against residents' wishes – one person told me they felt like they were going to be 'burgled' (not literally);
- the right to choose – why are Council estate residents regarded as being too stupid to take decisions like this for themselves when the Council would never dream of retreating people in private houses or properties in this way even if they had the powers to do so.

Battersea Park Estate is starting up which should be worth a look and present a chance to share ideas. See https://sites.google.com/view/wandsworth-ra-forum/.

LEGAL ADVICE

All the above are good points around which to develop a publicity and political campaign but the issue for the Tribunal will be a legal one. Does the Council have legal powers to recharge leaseholders for the works under the clause in the lease that talks about 'the security of the block' as in effect an excuse for imposing whatever costs it chooses on leaseholders. I have already raised the request for the Council to fund residents to the same level that it will fund its own case to the FTT and been rebuffed but the Labour Party at the Town Hall takes the same view as I do and we will be bringing a paper to the Thursday September 13 Housing Committee meeting to that effect. However, if we fail – and we should remember for example that the Council used your money to get legal advice in the first place and then refused to let me or any resident even see the questions which were asked despite my Freedom of Information request – it may be necessary to crowd fund some legal advice. If it comes to that I will let you know details.

COUNCIL TENANTS

Inevitably, since the law gives better protection to leaseholders than to Council tenants the focus will be on the FTT case. However, in a real sense the leaseholders are going in to bat for the many tenants who are equally opposed to this imposition. I have had it confirmed by the Assistant Director of Housing that if the residents' interests are supported by the Tribunal then the whole scheme will be abandoned.

DIFFERENT VIEWS

Although the impression I get is of an overwhelming opposition to these proposals among leaseholders and tenants alike, it is important bear in mind that there may well be people with the opposite view and their voices need to be heard and respected as well. My position, which I believe is now shared by the Labour Party, is that each block should have its own fire risk assessment done based on whether or not any cladding was used and other factors and then should be consulted (I mean proper consultation, not the Council's version of the word, i.e. the result will matter) as to whether it wants sprinklers, with residents having the final say.

ACTIONS

Three proposed actions came from Tuesday's meeting.

- More petitions from those blocks which have not yet expressed a view – the Council says that only 18 of the 99 blocks affected have lodged an objection, either directly or through a Residents' Association –but I am waiting for conformation from the Town Hall. Either way, the Council still seems to believe objections are just coming from a few leaseholders and we need evidence to challenge this if it is indeed wrong.
- A cross-Borough protest outside the Town Hall on THURSDAY SEPTEMBER 13, the date of the next Housing Overview and Scrutiny Committee meeting – a chance for members of the Committee to see if it is indeed just a small number of leaseholders who are opposed to this project. This could serve as a springboard to a publicity campaign (it may be an issue which attracts national interest as we seem to be 'in the lead' – or first in the firing line, depending on how you look at it – with this type of policy).
- Feelers on what appropriate legal advice might cost, who might provide it and how it could be funded.