

On 14 December 2016 at 18:09, Fairhurst, Tim <TFairhurst@lambeth.gov.uk> wrote:

Dear Malcolm,

With reference to your complaint that officers have taken an unwarranted and unacceptable stance in relation to the TRAs community event, to be held in a non-residential building on Wyvil estate, four days before it is being held. I have reviewed all associated paperwork and spoken with Muhem Miah, Estate Housing Officer, his manager, Judith Grant, and the contractor. In addition, as mentioned in my acknowledgement email sent yesterday evening, I have liaised with Sean Harriss, Chief Executive Officer, on this matter.

Use of the building

- The building, known as the hut, has for several years been used as a mess room for contractor operatives – this arrangement certainly pre-dates the current contract arrangements.
- Under the terms of the current contract a rest facility has to be provided; this is not charged for and is maintained at the expense of the contractor.
- The Wyvil TRA, which started in 2013, was granted permission to use the hut for committee meetings and have free use of Wheatsheaf Hall, on the edge of the estate, for larger gatherings and events, subject to availability.
- You state that the TRA have always said the cleaners can use the room, but I must make it clear this is not within the gift of the TRA. Neither has Muhem, as you state, suddenly decided the contractor should have primary use of the room - it has always been the case that the contractor and their operatives have primary use.
- There is nothing stopping the TRA from using the hut as a committee room, but there has never been an agreement for it to be used for events. The hut is not insured for public events as it is primarily a work space. In other emails you have mentioned clothing, equipment and shoes being stored – many of these items relate directly to the operatives work, and your statement about them using it as a social facility is without foundation. However I am aware that historically Muhem expressed concerns to Mears / Pinnacle about operatives using the hut for too long periods during the day which resulted in appropriate management action having been taken. In addition, given your allegations made in various emails, I have instructed the contractor that operatives' children must not access the hut – if you note this practice continues then please let Muhem know and immediate action will be taken.
- The contractor has complained that the TRA are intimidating their staff and abusing their position. It is alleged that members of the TRA have interrupted their lunch breaks; have accessed the room without warning on occasions walking in on the operatives whilst they are changing inside - on one such occasion the TRA member told the operative to "go and change in the toilet"; and taken their refreshments without consent. In addition when the TRA use the Mess Room for their meetings they do not clear up after themselves.

- I understand you have secured estate sheds for the contractor to utilise as a store for their cleaning equipment. Given they have the mess room, in which they have always stored their work related equipment, I see no need for them to use sheds. Of course the TRA store their gardening equipment in the mess room too, so maybe you could consider relocating this to the sheds if space is an issue.
- Given the complaints being received from both cleaners and the TRA, should you not be able to use the hut in harmony then I will have no option but to withdraw consent for the TRA to use this site on the basis you can make better use of the Wheatsheaf Hall.

Improvements

- You mention that you have had a number of discussions with Muhem about the TRAs plans for the hut and to bring the room into wider social and communal use to stimulate community spirit on the estate. Muhem recalls two site meetings when several projects were discussed with the TRA, Trish Boland, of the Council's Vauxhall Regeneration, Neighbourhood Investment Team, and Sainsbury's, who are developing the site across the road from the estate. Refurbishment of the hall was mentioned, as was painting of the wall backing on to the shops, provision of bins and other such projects, but this does not mean authority to proceed with any project was granted.
- Interestingly I note minutes of your TRA committee meeting of 16 November 2016 state that progress on the hut conversion has stalled and that the committee agreed that where possible you should attempt to deal directly with FLO and not be delayed by council involvement. Please note any project undertaken on the Wyvil estate can only proceed with the express permission of the council.
- As for using the hut to stimulate community spirit on the estate, I do not consider this appropriate. The hut is a working space and is too small for estate activities involving more than a few people. The TRA have free access to the Wheatsheaf Hall, which is on the edge of the estate and has been used for residents events over several years.

Your event

- Whilst a committee member of the TRA did mention the community event to Muhem, he made it clear that permission would need to be sought; this was never requested and the matter only came to light following another TRA committee member asking the contractor's operatives to clear their belongings. It is alleged this committee member was rude and disrespectful to the operatives, which I note has been denied, but nonetheless over the weekend the contractor and their operatives possessions and equipment was moved without permission.

- Alcohol, presumably for Saturday's event, was left in the hut. Given the hut is primarily a work place, and permission for the event had not been granted, this is inappropriate.
- If permission for the event had been requested this would've certainly been denied on grounds of health and safety, the hut being too small and it primarily being a work place.
- In light of the above, the council cannot agree to you holding your community event in the hut. Whilst the main room in Wheatsheaf Hall is booked, I understand the first floor room is available and would provide a safer environment. I am happy to organise leaflet delivery across the estate advising of the change of venue if this would help.

I trust this information clarifies my position on this matter.

Kind regards,

Tim Fairhurst
Area Housing Manager
North Area Housing Team
Housing Services
Neighbourhoods & Growth

From: Chair Wyvil Estate Residents Association [mailto:wyvilresidents@gmail.com]

Sent: 10 February 2017 10:29

To: Fairhurst, Tim <TFairhurst@lambeth.gov.uk>

Dear Mr Fairhurst

I have not replied sooner to your email dated 14 December because I wanted first to take the opportunity for the committee to discuss the points it makes. At our February committee meeting, I was asked to make the following response:

The committee is extremely disappointed that the Council has now decided that the needs of four private sector cleaners for an occasional place to use the toilet and to get changed have been judged by the Council to be more important than the needs of residents to enjoy an easily accessible, central location in which they could regenerate community spirit, easily drop-in for social interaction and develop to meet specific needs of elderly, vulnerable and young members of our community. It is particularly distressing that your decision was taken immediately prior to a planned Xmas party for children, many of whom now see Lambeth Council as the organisation that cancelled Father Xmas.

You refer us and residents to the use of the Wheatsheaf Hall for community social activity but this is not feasible for many reasons. Primarily, the location is often booked a long time in advance and, in any case, residents and this Association are only allowed a very limited number of hours per month free of charge and anything in excess of this is charged at a commercial rate which we cannot afford. The same is true of the library. Even if this were to be addressed, at the start of community building a small venue, over which residents representatives have access control and which is flexible in layout, is essential. The Hut would be ideal as this location. The only reason that it has any health and safety implications is that the cleaners store cleaning material in it, but we had made arrangements with Lambeth Council for this to be stored elsewhere, so it was not a consideration.

Your explanation of the primary use of The Hut does not hold true with the corporate memory of residents. Indeed, members of our committee who were associated with the previous TRA are clear that as long ago as 2005, when The Hut had not long been de-commissioned from its previous use as the Rent Office, it was given to the Residents' Association to use. At that time the cleaners used to go across the road to Sainsbury's supermarket to use the toilet and get changed. The committee at the time, when they learned of this, invited the cleaners to use the toilet in The Hut and also allowed them to get changed there. It was only in the interregnum, subsequent to the previous Chair passing away and the election of the new Committee in 2013, that the cleaners established themselves as permanent users of The Hut.

You say that the upkeep of The Hut is not charged to leaseholders but our Service Charges show differently. We have been charged for painting, repairs to toilets, maintenance and, of course, the communal electricity charges, which are phenomenally high, include the cost of providing electricity to The Hut where the cleaners have a number of old-fashioned electrical bar heaters on virtually all day from the moment they arrive till the time they leave. This is an unreasonable burden on residents' costs.

We are very disappointed in the stance that you have taken on this matter but if this is your last word on the subject we will simply report to residents that the committee's plans that were announced to residents at the AGM last year to bring The Hut into social use for residents and the extensive notification in our newsletters that this was underway, has been prevented by your decision.

If you have any further comments on this matter, could you let me have them please by the end of next week?

Regards

Malcolm

Malcolm Russell
Chair
Wyvil Estate Residents' Association

From: **Fairhurst, Tim** <TFairhurst@lambeth.gov.uk>
Date: 17 February 2017 at 16:36
To: Chair Wyvil Estate Residents Association <wyvilresidents@gmail.com>

Dear Malcolm, thank you for your email.

I regret your disappointment with your perception of the position I have taken and would advise:

- The council has not decided that the needs of private sector workers are more important than the needs of residents. As it currently stands, the TRA can continue to use the facility for committee meetings as per the agreement made with the TRA in 2013.
- The Wheatsheaf Hall is immediately adjacent to the estate and is far more suitable as a community facility especially for social events. The Wheatsheaf Hall is first and foremost for the use of residents and if usage of the premises is not in line with this ethos then it needs to be addressed. To this end I have copied in Joanna Jackson, Resident Participation Officer, and Mark Howarth, Governance & Resident Engagement Manager, for them to take this forward.
- Your information relating to the history of the hut is noted. This does not get away from the fact the cleaners have been using it for considerably longer than the current TRA which started in 2013 after a significant hiatus following the death of the previous chair, Ella Lewis some years earlier.
- On 13 December 2016 Home Ownership Services confirmed no recharges should be made to leaseholders in connection to the hut. I am aware of some leaseholders having recently raised this matter with Home Ownership Services and, presuming there is evidence to support that recharges have been made, refunds can be made where appropriate.

Kind regards,

Tim Fairhurst
Area Housing Manager
North Area Housing Team
Housing Services
Neighbourhoods & Growth