

Minutes of the SGTO New Homes Network

Held on Wednesday 13th October 2021

Sam Jones thanked Michael and Stuart for attending. Sam mentioned the need for spending 10 minutes for each question. Sam told members to limit their questions and comments to 2 minutes at most, and to mute yourself when not speaking.

1.

Could you both please, for the benefit of all present tonight, briefly compare and contrast your role and powers vs those of Elected Councillors who are currently in power (cabinet members).

Michael:

Michael thanked us for the invitation to speak and emphasised the need for dialogue.

Authority comes from elected councillors. The councillors select a Cabinet and a leader. Power to make policy decisions (e.g. spending, strategic decisions) rests with the Cabinet. This includes the decision to build 11,000 new Council homes in Southwark.

Council officers are asked to implement Council policy. They advise on policy formulation: advisors advise and politicians decide. The role of Council officers involves marshalling resources, leading teams, setting budgets, procurement decisions. The Chief Executive is also a Council officer, who oversees a team of strategic directors that includes Michael and three other strategic directors. This team works closely with the Cabinet, often in an advisory capacity.

Supplementary comments and questions

Nick Flower (Chair, Southampton Way TRA):

A report was sent to the Cabinet Member for Council Housing in December 2020, with a list of ten estates that would get rooftop homes. This came from Michael. Who decided on the list of ten estates – councillors, yourself, or someone else? There is also the question of who decided on the interpretation of the Arup report. Would all of this have come under the Strategic Director of Housing (Michael)?

Michael:

All reports are officer reports. Officers provide advice to the Cabinet. Advice must consider the law, finances, risks, benefits and other aspects of the project. Reports have forewords from the Cabinet Member, outlining their own strategic and policy intent. Reports follow a pattern: the Cabinet member sets out, using the borough plan, what they are trying to achieve. They ask officers for suggestions for how it can be achieved. Detail is filled in after the report. Officers give advice to Cabinet members but the Cabinet makes the ultimate decision.

All reports from Housing and Modernisation are technically Michael's reports. Officer reports do not contain suggestions that the Cabinet member would not want. An officer can set out the risks and costs of a Cabinet member's decision, but it is up to the Cabinet Member as to what direction is taken.

Michael can't remember who specifically came up with the list of the ten estates, but he mentioned these would have come from a series of discussions among officers, and would have been approved by the Cabinet Member because the list would have helped them achieve the Cabinet's objectives.

Stuart:

Stuart interpreted Nick's question as being about how the Council decided on the particular sites it wanted to use for rooftop homes. The Council undertook a borough-wide review of all their land, to determine where new homes could potentially be built. Feasibility criteria for rooftop homes was broadly looking at the age of the block, the current height, the height of surrounding blocks, sunlight, etc. These criteria seemed reasonable for the Council to pursue. The Arup report was a desktop survey, without site visits or intrusive surveys. The Arup report mentioned that constructing rooftop homes could be achievable on the blocks the Council identified. At the time of writing the report, there were some Council properties that might be suitable for rooftop development, and some that might not.

Coming from this report, the Council must look at the blocks and work out if they are actually feasible, both in terms of the site itself and affordability.

2.

What part does cost/benefit analysis play in decisions to proceed with Council building projects? We're puzzled by the Council's logic. Huge sums are being spent on architects and other costs before projects have been proved to be safe or cost effective and before they have been passed by Building Control. Given the many urgent demands on finite Council funds, can you explain the thinking behind this?

Michael:

Cost benefit analysis is a fundamental part of decision making. The Council sets out the risk, and pros and cons.

Stuart:

At the feasibility stage, the Council look at what they can fit into a space – in terms of infilling greenspace, building on rooftops, or building next to existing blocks, or whether construction meets planning policy. It is incorrect to claim that money is spent at an early stage before feasibility is determined. There are less than half a dozen schemes that haven't been feasible but have progressed through planning and gained planning approval. 160 schemes and around 2,500 units have gone through inception to planning. Another 15 schemes/300 units are pending for the

next couple of months. There is a small cost associated with schemes that do not pass feasibility, but this is negligible when put next to the number of homes that are delivered.

Supplementary comments and questions

Sam Jones (Chair of meeting):

On the Lancaster Estate, architects have drawn up plans for the Estate without intrusive surveys. The safety of building on pre-1970 blocks has not been established, and no fire survey has taken place. Residents do not understand the logic of this.

Stuart:

The first part of feasibility is looking at whether it is 'conceivable' that additional buildings could be put onto the Estate. RIBA have their own stages: 1 to 4. Their stage 1 is a general outline/overview – could it work? Stages 2 to 3 are detailed design, and stage 4 is a full design. Yet these are separate to the Council's stages that a building has to pass to get through Building Control. Stuart understands why there is confusion. The Council must consider – will it fit there, and will it affect people around it? If it passes these questions, the architect is then asked to come up with a design that meets Building Control regulation.

The Arup report looks at the different ways Southwark's estates have been built. The study suggests that with certain measures, they could be built on. Control measures currently in place would not allow for a design to progress to planning stage that is not compliant with safety standards.

Sam Jones:

How does that explain Chilton Grove, which had rooftop homes under construction for almost two years but did not pass Building Control? Why are the Council meeting with landscape architects before feasibility has been assessed?

Stuart:

Getting landscape architects involved is integral to the Great Estates Programme. The Council want to make sure that if the estate's land is built on, improvements to the estate would also be made (from bin collections to greenspace). Landscape architects help to visualise improvements.

Cris Claridge (Chair of SGTO):

New homes construction on Buchan Road Estate (Daniels Road) has been going on for two years, and its only 19 properties – the Council have moved the completion date again, to February 2022. Some residents were concerned about their paving stones moving due to a crack across the estate, potentially caused by the new homes, where an intrusive survey had not been conducted as far as the TRA is aware. The TRA have asked the project worker to go back and look into whether an

intrusive survey occurred and if so, why residents don't know about it. Is it common practice for the Council to conduct an intrusive survey before construction of new homes? This hasn't happened on Buchan Road Estate.

Stuart:

Not necessarily. Structural engineers will determine whether there is potential for disruption of land using a geo-technical survey. Risks causing disruption of land should be taken into consideration at the front-end of any scheme. In the case of Buchan Road Estate, the engineers didn't believe that the development would adversely affect the local environment. But Stuart assured Cris that the Council would look into it and get back to her.

Ulrike Steven (Architect):

Building Control will give certain requirements when adding a storey to a building. These requirements/information are not readily available. Architects do not seem to work with this information. Why is this information not relayed to leaseholders?

Sam Jones:

Sam encouraged Stuart to also respond to the previous question on Chilton Grove.

Stuart:

With rooftop developments that have not yet passed feasibility, the Council will work towards ensuring it is safe. Any design must go to Building Control for them to sign off and agree that it is acceptable. During construction, Building Control will make regular visits to ensure that key commitments are followed through.

Ulrike:

When adding highly insulated blocks to the rest of the building, Building Control state that you must upgrade the rest of the building.

Stuart:

When you add something to a building, you must ensure that the building in its entirety meets current standards. The Chilton Grove extension was carried out by a contractor. It started in June 2019, so the rooftop element has been delayed. The contractor believed they could ensure Building Control requirements were met. Building Control don't check every function of the building so outsource some of their functions. The expert they used, which was Arup in this case, didn't think the solutions offered by the contractor were the best. A debate ensued about the best design for the site, and whether any different design could incorporate required safety standards. The Council are investigating the original foundation details to see whether the assumptions they had about these are correct or not.

Sam Jones:

Expressed disappointed at the Council's process here. Structural detail is important, and in some of the older blocks it is difficult to see how the foundations can be reinforced. It is almost impossible to compartmentalise some of these concrete blocks retrospectively.

Stuart:

No scheme will proceed unless its safety can be demonstrated.

Ulrike:

There is a substantial need to upgrade the buildings on which the rooftop homes will sit. This is not made clear on many estates. The construction is talked about as if it were modular construction – where you can lift it onto the rooftop, and it is finished. This is false information. While improving the quality of the building (e.g. improving insulation) is positive, this may come at a cost to leaseholders. This must be communicated to them.

3.

As evidenced by the opposition from residents set out in the damning assessment of the council's consultation approach in last week's Housing Scrutiny meeting, it seems that the new homes programme is turning into a disaster for the Council in terms of significant negative publicity and reputational damage. Are you both, along with Councillor Stephanie Cryan, willing to sit down with residents, SGTO and Y2FR to work together to construct a more democratic and accountable consultation framework which will give residents genuine influence and power to change the new homes developments on their estates?

Michael:

There is a structure for engaging with tenants and leaseholders. This could be through meeting with TRAs, area forums, and the tenants forum. Every scheme has a resident participation group, where residents can raise concerns.

Stuart:

Stuart contests the nature and tonality of the question. The Council has already got 161 schemes through planning. Planning and Building Control, although both part of the Council, are entirely independent. They will do whatever they believe is right and proper. They will not be adversely influenced by the Council (e.g. the Council cannot force them to approve developments to fulfill Council targets). Planning compliance must be met, and if it is not, approval will not take place. The current rate of approvals does not suggest a lack of due process. An independent contractor building something next to you will stick a notice on a lamppost for four weeks. No engagement or consultation whatsoever will take place. The Council works hard to engage as many people as it can. Some things cannot get delivered and people become dissatisfied as a result. The Council follows a charter of principles. They

need to balance the needs of current residents with those of the 16,000 people in the borough who don't have the home they need.

Supplementary comments and questions

Sam Jones:

The Council committed through its Charter to genuine engagement and broadened engagement.

Nick:

It seems the Council is already happy with the way it consults. Some of the developments are less controversial than others. There are several estates across Southwark where people are upset by developments to their estate and homes. They feel a sense of ownership and are looking to be involved, informed and able to assess the process and give their consent. This is where it has fallen down. There is opposition to some schemes but broad support for new Council homes. There are issues around the sequencing of when structural surveys take place.

Tanya Murat (Yes 2 Fair Redevelopment, Southwark Defend Council Housing):

Council officials have been talking as if the current council housing shortage is completely disconnected from their own policies over the last 30 years. Campaigners are not responsible for the shortage. Some of the poorest people in the borough, on existing estates, are being asked to sacrifice essential elements of their lives in order to compensate for the failure of previous policies. There is no such thing as independence in Planning and Building Control – they are influenced by the Council's priorities. How are we supposed to believe Council assurances of building safety after Stephanie Cryan's assurances over the Ledbury Towers remediation and safety, or after Lakanal? Residents are concerned about safety, their right to light, loss of greenspaces – these issues should be taken extremely seriously, and the Council should be listening to tenants and residents.

Ulrike:

At the Unwin Estate, like many others, people do not want homes built on top of their flats, due to construction noise and the impact of putting more people in an already very dense space. Residents have been told these extensions will happen unless there are structural issues. When residents highlight concerns, they are emotionally blackmailed and called NIMBYs, and are told that they should be happy to accommodate the need for more social housing. Using this as a stock answer is problematic and insulting. Ulrike has asked for an impact assessment for the rooftop homes on the Unwin Estate. This work will have an impact on noise and people's access to greenspace, affecting their mental health. Some of these issues are not even investigated. They cannot be mitigated if they are not investigated.

Cris:

Michael and Stuart have complicated a very simple question. All we are asking for is proper consultation. Cris mentioned how Michael and Stuart have quoted their principles and consultation charter, but the reality is people don't attend tenant forums and area forums, let alone go along believing meaningful consultation will take place. On Buchan Road, people want the new homes, but construction has had an effect on them for two years. During COVID, it is harder to engage with people, so imagination is required. Please conduct proper consultation with residents. Consult with the groups we have suggested – we can show you the right way to do this.

Michael:

Michael thanked others for the comments. People are welcome to make these suggestions at the relevant meetings.

Harp Aujla (Planning Solicitor, Southwark Law Centre):

Will more information be shared about Chilton Grove before more estates are put into planning for rooftop development? What happened at Chilton Grove is a serious concern for many of the residents that Harp has been speaking with. There is concern that the contractor may just propose a solution that saves them money, rather than prioritises building safety.

Stuart:

Equalities Impact Assessments are undertaken on every scheme and are part of the application and planning stages. Stuart recognises that Ulrike is concerned that residents are not seeing what these assessments look like. Stuart mentions that Chilton Grove was built before he was employed by the Council – but he will look into it now he is Director of New Homes. If the Council cannot demonstrate that the building is suitable in safety terms, it will not be built on. The Council needs to take on board lessons around previous communication and engagement and the management of contractors. On Chilton Grove, the Council hopes that the contractor did not skip safety requirements as a cost-cutting exercise. In fact, poor safety standards costs contractors a fortune, as the Council will not pay them for unsafe building work.

Harp:

Will rooftop homes be taken to planning committee before safety concerns are resolved?

Stuart:

Stuart does not believe so.

4.

The 'Great Estates' programme made a number of commitments which were supposed to enhance engagement with residents when delivering

estate improvements; moving from using consultation as a tool to just inform, to providing residents with the power to make real decisions about how the services and amenities on their estates could be improved. In a document called 'The Great Estates Guarantee', Leo Pollak said 'The council is ensuring that plans for new homes, housing investment and the Great Estates programmes are linked.'

This hasn't happened. Only seven estates (Canada Estate, Rockingham Estate, Elmington Estate, Brandon Estate, Rye Hill, Kingswood and Unwin Estate) are included in the great estates programme.

The estates that are now subject to significant and understandable opposition to the new homes proposals, were not included in the great estates programme and no linkages have been applied (Bells Gardens, Vauban, Clifton, Southampton Way, Lancaster, Priory Court, Brenchley Gardens, Slippers Place, Dodson & Amigo, Kingston, Elim and Gaywood to name a few). How can the Council justify the construction of new homes on estates where they have not committed to the enhanced levels of engagement and to the improvement works that the Great Estates Programme promised?

Michael:

The Great Estates Programme started off as a pilot with seven estates. The findings from this pilot stage will be discussed before the end of the year with Councillor Cryan. The findings will be in the public domain. There are two ways that improvement works and the Great Estates are linked. One is through a revised asset management strategy, which has been presented to the Council. This strategy mentions how the Great Estates Programme will be used to drive major repair work programmes. In a separate report, the Council wrote about how they will engage with residents. Once the findings from the Great Estates Programme are examined, they will inform the final composition of the asset management strategy. The finished strategy will go before the Council in the middle of next year.

The Council's overall capital programme for the next 10 years is around £2.5 billion, which includes money for new homes. The Council is also spending around £70 million per year on major works.

Stuart:

The Council would not necessarily have identified estates for the Great Estates Programme that were already part of the new homes development programme. This is because the improvement works for both programmes are quite similar. Most of the topics picked up in the Great Estates Pilot are also picked up in the new homes programme, including (for example) landscaping, bins, and play areas.

Supplementary comments and questions

Jack Lewis (Campaign and Research Officer, SGTO), asking question on behalf of Tina Smith:

Are the Council going to maintain the development of rooftop gardens, specifically in the case of the Dickens Estate? A resident of the Estate is concerned that this would lead to damp on the Estate, the cost of which residents would have to cover.

Stuart:

The Council does produce green roofs as part of its green initiative. They should be 100% watertight. We should be maintaining them and resolving any issues, and residents should not be paying for them.

Sam Jones:

On the Lancaster Estate, including Lingfield House, residents are upset that they are overdue major works. This is being used as a lever to get them to agree to rooftop development and infill. A Council Officer said that agreeing to the development would be the only way to get their major works completed.

Stuart:

That is not factually correct. Where there is potential for rooftop development, we have liaised with the Major Works Team, asking them if they are due to do anything on that block. If they are, the Council will seek to combine these works with rooftop and infill development. If such development cannot take place, responsibility will revert back to the Major Works Team, who will get on with the work required.

Sam Jones (on behalf of Ulrike):

The delivery of play space improvements under the Great Estates is proposed to be postponed and delivered as part of the rooftop homes programme. People on the Unwin Estate are very unhappy about this.

Stuart:

It may be that the Council work on a rooftop homes development for a period, the residents don't see improvements to the grounds, and then the Council decide not to do the rooftop homes – this deprives local residents of the opportunity to have major works done during that period. Another potential difficulty is when the Council go to work on a block where scaffolding might be required, it would be poor if the Council redeveloped part of an Estate and then left scaffolding on. Stuart understands the concerns raised by residents.

Jennifer Quinton-Chelley, Clifton Estate:

Leaseholders on the Clifton Estate, in blocks supposed to be getting rooftop developments, have asked to see a schedule prepared by Major Works, to ensure the Council avoid having to put scaffolding up on two separate occasions. This schedule was promised by the Council but residents cannot get hold of it. Residents want to see this schedule in advance before the rooftop homes begin construction.

On several different occasions, residents have been told that the rooftop developments would take six months to construct on the estate, as they are built off-site. But in fact, it is taking between 2.5 and 5.5 years for the rooftop developments to be completed. Estates are being turned into construction sites. This is not what residents were sold on. The level of disruption is unacceptable as residents are still in occupation.

Stuart:

Residents will be able to view major works that will take place before they see rooftop developments on their estates. Works enabling rooftop development should not be chargeable to leaseholders. The Council must minimise the risk of costs falling on leaseholders. The Council's intent is to deliver rooftop homes in a way that causes the absolute minimum amount of disruption. If construction means reverting to a traditional form of building which involves more noise, the Equality Impact Assessment will not allow this to happen. If we cannot deliver homes with a minimum of disruption to local residents, then we should not be pursuing them. If this hasn't been made clear than Stuart is disappointed.

Nick:

This question is more about levels of engagement. It's a pity that the results of the pilot will not come out until next year – this will be too late for estates going through the new homes programme now. It also relates to the question of whether the Council will sit down with YFR and SGTO to see how residents can be more engaged with estate improvements. The Council talk about delivering a package of rooftop homes and improvements, but all we have heard about is rooftop homes. Southampton Way residents have a list of improvements they want to see but no one from the Council has sat down with them to discuss these.

Stuart:

This would raise the expectations of residents. If the Council does that, but then it transpires that rooftop development (or whatever enables rooftop development and improvement to take place at the same time) will not take place, this is very frustrating for residents.

Nick:

In estates where you have increased engagement due to the Great Estates programme, rooftop development seems less controversial.

Sam Vacciana (Chair, Gaywood TRA):

Sam is part of the Estate's project group, who recently had a meeting with architects. They spoke about radical solutions to waste disposal, and putting lifts in. This weekend, the project group has a session with landscape architects, to discuss solutions to anti-social behaviour. Sam asked whether all this would be scrapped if rooftop development does not go ahead, and the answer was yes.

This has been a long process. The Estate found out almost a year ago that rooftop development would take place. There has been a lot of negative publicity on rooftop developments and the effect on residents on the Gaywood Estate is not positive. During the pandemic it is difficult to consult with residents, but Sam felt Michael was dismissive of Cris's point about engagement. Residents want to help and understand the need for new homes. The Council does not help itself at times.

Sam Jones (speaking on behalf of Jennifer):

If rooftop homes take more than six months to construct and residents are forced out temporarily, are they compensated to cover their hotel bill?

Michael:

This is why a decision was made to undertake pilots in seven estates. The Council knows that it does not get everything right all the time. The pilots can illustrate what works and what does not. Until you have completed the pilot, done the analysis, written up the report – due consideration for future implementation should not be given.

A clear message, which the Council takes seriously, from this meeting is the concern that residents have over consultation. The Council must be clear in advance and set out what consultation steps might look like. The Council must be able to justify why they think a particular approach is a good approach. Approaches must come from what residents want. Communication needs to improve and Michael takes this particularly seriously.

5.

You (Stuart) are quoted on Apex Airspace's website as saying: 'Too many council house builders' mindsets are to be risk-averse, but we will need to change that if we're going to genuinely tackle the housing crisis.'

Are you aware of the fact that one of the key reasons for the widespread failure of modern system building techniques in the 1960s and 1970s was the insufficient assessment of the risks and the minimal amount of research and development that took place before these methods were mass produced? Likewise the disaster at Grenfell. Both have strong similarities with the current rooftop development programme.

LB Southwark has experienced significant problems with the rooftop works at Chilton Grove, for example, with the repeated refusal of Southwark Building Control to sign off the proposals until additional structural engineering surveys are carried out. The scheme has been delayed for several years as a consequence. In the light of this and the Arup report, are you now willing to revise your views about councils being too risk averse? And are you now willing to put a hold on further rooftop proposals until LB Southwark have carried out all the necessary extensive

surveys and assessments these schemes require so that you have a proper assessment of the risks and expert assurance they are safe?

Stuart:

The quote above is incomplete and out of context. The conversation was around how construction engineers needed to change and do things differently, in order to build homes for the future. The comment was more around how the construction industry seems to want to carry on using old methods without considering new methods (such as airspace) that may yield positive results when used in consultation with residents. Current methods will need to change as they are not carbon neutral and do not achieve the quality we want. Stuart did not say that councils are risk averse, but that housebuilders are. Stuart is familiar with large panel system methodology from the 1960s and 1970s – these methods were developed in the 1950s and were found to be high-quality. Investigations after Ronan Point found that the system was not at fault, but the quality control was. Tensioning bolts were not released during the construction phases. Construction methodology has changed and will continue to change. After recent tragic events, building safety measures are probably the best they have ever been.

Sam Jones:

Airspace developments have been disastrous from the point of view of residents. Both Stuart and Leo Pollak have championed airspace, and experiences at Chilton Grove do not reassure residents that building safety is at the front of the Council's mind.

Stuart:

The Council has championed rooftop homes, not a particular company, and Apex Airspace have not been involved in any of the rooftop homes.

Michael:

It cannot be overemphasised how important safety is. Michael would not agree to anything going ahead that is not completely compliant. Michael does not, and would not seek to, have any influence over decisions made by Building Control. The Council is putting in extra budgetary provision over the next decade for building safety. The Council wants to employ extra members of staff to look at building safety and to increase standards. Michael and everyone in the department is committed to increasing standards. They do not want to see anything going wrong. If they find something going wrong that they inherited, it is remedied immediately.

Sam Jones:

Sam asked that we engage with Michael and Stuart again. This does count towards building trust, and it ensures genuine engagement.

Michael:

Michael understands people's concerns. He is always pleased to talk to residents, as is Stuart. Both will make an effort to answer clearly and honestly. Michael thanked the group.

Sam Jones:

Sam asked whether Michael and Stuart could respond to questions in writing. Michael and Stuart agreed to this.