

# **COUNCIL**

**18 OCTOBER 2017**

## **PUBLIC QUESTIONS**

**I. Question from Stephanie Ward, SE9 to Councillor Danny Thorpe, Cabinet Member for Regeneration and Sustainability.**

The University of Greenwich has obligations through covenant towards the upkeep and maintenance of the Winter Garden. Given its condition has deteriorated, most significantly since the heating failure in 2009, when is the Council intending to invoke this covenant?

**Reply -**

I thank Ms Ward for her question.

The Winter Garden is under a covenant which restricts the use of the building since it requires the University to ensure public access, 7 days a week, free of charge. The covenant also requires the University to maintain the fabric to a standard not below that of 1993, when the University acquired the freehold. The covenant runs with the land and therefore will transfer to whoever purchases the site.

The local planning authority are utilising its statutory powers in respect of the listed buildings and taking steps in partnership with Historic England to address the building's condition and have issued the University with a Schedule of Urgent Works to be carried out as a priority.

**Supplementary question**

Why has the Council not intervened to force the University to improve conditions?

**Reply -**

The key issue of investment was being pursued through the Council's work with Historic England so that the University of Greenwich was held to account for the works that needed to be done, and the Council have issued a schedule of works that the Council expected to happen

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**2. Question from Andrew Blundy, SE18 to Councillor Averil Lekau, Cabinet Member for Housing and Anti-Poverty.**

Will the Council make public the Fire Risk Assessments carried out on the residential buildings of which is landlord?

And what steps is the Council taking to ensure that such Fire Risk Assessments are being carried out on other tenanted residential buildings in the Borough?

**Reply -**

I thank Mr Blundy for his question.

The Royal Borough has a specialist Fire Safety Team and they have carried out comprehensive fire risk assessments for the Royal Borough's housing properties, which are in full compliance with statutory duties and regulations. The Royal Borough fully recognises the need to provide details for its residents on the Fire Risk Assessments that the Housing Service has carried out of its properties. However, the Royal Borough has not published the fire risk assessments, at this time, as they are not held in a way which would enable publishing, as there is a very significant volume of data held in a combination of formats including on spreadsheets, databases and hard copies. The Housing Service uses the data held in the various formats, in order to liaise with other internal Royal; Borough teams, agree the progression of work orders and commission contracts. It would not be appropriate for the Royal Borough to publish the data on Fire Risk Assessments, held in the current formats, as it would not assist residents in understanding the issues and is likely to cause confusion and misunderstanding.

In recognition of the need to provide transparent information for its residents, the Royal Borough is reviewing and updating all of its Fire Risk Assessments, with the intention that it will publish them to a revised standard of template. The Housing Service's new template will be produced on bespoke software which is currently undergoing user-testing. The task of data entry to the new software for each Fire Risk Assessments is a significant undertaking and therefore requires a phased and prioritised approach. However, the new software will allow the production of reports suitable for

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publishing. It is anticipated that the Royal Borough will be able to publish the summary reports for its high rise blocks in early 2018.

It is a building owner's responsibility to ensure that their buildings are safe, but local housing authorities have a statutory duty to keep local housing conditions under review. The Royal Borough is working closely with the Government's Department of Communities and Local Government and the London Fire Brigade to ensure that private sector owners and Residential Social Landlords are taking timely action to identify fire safety risks in their buildings. Officers have liaised with Registered Providers with regards to the buildings that they own, including arranging meetings with them to discuss their work regarding fire safety and emergency planning matters.

The Royal Borough has a focus on improving conditions in the private sector; in this respect, officers use the Housing Health and Safety Risk System (HHSRS) as set out in the Housing Act 2004 to inspect or review residential properties to identify fire safety risks, either in Houses in Multiple Occupation (HMO's) or other privately rented single family properties. Where risks are identified officers work with landlords to ensure necessary and timely actions are taken to remove the risks or ensure that the appropriate enforcement action is taken to ensure compliance.

As of 1st October 2017, the Royal Borough's HMO Additional Licensing Scheme came into operation. Officers will scrutinise all the license applications made by landlords, to ensure that their properties comply with fire safety arrangements, before they issue them. Where officers identify unacceptable conditions, the Royal Borough's licensing conditions will require that landlords take timely corrective action to remove the risks with Royal Borough officers prioritising site visits to properties with the greatest risks.

**No supplementary question**

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## PUBLIC QUESTIONS

**3. Question from Neil Clasper, SE7 to Councillor Sizwe James, Cabinet Member for Transport, Economy and Smart Cities.**

What plans does the Council have for improving the public realm at the Angerstein roundabout for the benefit of pedestrians and cyclists in the period 2017-18?

Additionally, what funds have been allocated to these plans; if the roads and pavements at this location are the responsibility of TfL what efforts have been made to encourage TfL to implement improvements?

**Reply -**

I thank Mr Clasper for his question.

The Council recognises the challenges at this junction and agrees the space, overall, is no longer suitable for all the different types of road users. For a number of years the Council has been lobbying Transport for London (TfL) to fund improvements here but unfortunately this has not been secured in any committed work programmes to date.

It is true to say that the majority of this area is within the responsibility of the Royal Borough, but funding arrangements for major highway works in London are generally through TfL. TfL also manages traffic signals in London.

A project that will meet the aspirations of the Council and local residents with meaningful improvements and connections to existing links will be both complex and costly (multi-million pound). Whilst small scale improvements have been made – such as new cycle lanes and improved signage, the desired improvements will only come about with major works.

Recognising the funding challenges the Council is also using developer contributions through the planning process to help contribute to the cost. This is a long term strategy as these contributions can only be collected and accrued over time as developments come forward.

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Any major works that are brought forward would only be delivered following full consultation and local engagement.

The Council will continue to press the matter with TfL and is committed to exploring and delivery short and longer term improvements as opportunities arise.

**No supplementary question**

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## PUBLIC QUESTIONS

**4. Question from Tanja Gazmaga, SE9 to Councillor Danny Thorpe, Cabinet Member for Regeneration and Sustainability.**

The magnificent Victorian picture gallery at Avery Hill is one of the borough's most important heritage sites.

I would like to know if the Council is prepared to work with the University to ensure it remains open to the public after the University leaves the Mansion site in December next year?

### **Reply -**

I thank Ms Gazmaga for her question

The 'Picture gallery' like the Winter garden is Grade II Listed and forms part of the original Victorian mansion site. The Gallery is currently occupied by the University Library and is not open to the public. In addition, the Gallery is not covered by the covenant which ensures that the Winter Garden is open to the public 7 days a week free of charge. I suggest the questioner raises this issue with the current owners, the University of Greenwich.

### **No supplementary question**

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## PUBLIC QUESTIONS

**5. Question from Deborah O'Boyle, SE18 to Councillor Danny Thorpe, Cabinet Member for Regeneration and Sustainability**

On 13th September, [Cabinet](#) voted to give twelve months' notice of an Article 4 Direction, with respect to HMOs borough-wide, to avoid hefty compensation claims. Has consideration been given, instead, to immediate implementation but teamed with planning permission for those landlords who have already embarked on an HMO conversion process, thereby negating any possible compensation claims?

**Reply -**

I thank Ms O'Boyle for her question

Consideration was given to an immediate Article 4 including the fact that compensation would be payable if the council decided to make an immediate Article 4 direction. As discussed at a recent residents meeting on the 19th September 2017 and referred to in the Cabinet report, the reason Members decided not to bring in an immediate Article 4 was primarily due to the issue of compensation that could be owed to potential HMO developers. It would not be possible to quantify this other than to say that such an immediate Article 4 would be prohibitively expensive on the public purse. We simply do not have the resources to compensate potential HMO developers that may come forward within the 12-month period. It is difficult to quantify, or even estimate, the amount that may be payable in compensation as it is dependent on a number of variables such as numbers of HMOs in progress, cost of abortive works, interest payments, lost rents and unrealised increases in land values. There is limited research on this matter, however, the London Borough of Newham undertook an exercise in 2012 on a small part of that borough and estimated that potential liability to compensation in respect of an immediate Article 4 direction relating to HMOs in that small geographical area may be in the region of £4m.

It does not simply apply to those who have already embarked on the conversion process but those that are intending to implement a small scale HMO within the 12-month period should an immediate Article 4 have been

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approved. Compensation claims would be liable over all the 12-month period following the approval of an immediate Article 4 and not for part of.

We would not wish to grant a blanket planning permission for those landlords that had already embarked on the HMO conversion process as this would not be a lawful approach. We would not wish to fetter our discretion on each of these applications and prevent ourselves from properly considering each application on its planning merit. This may also cause problems later on for those that we wish to refuse planning permission because they are unacceptable if we have allowed similar schemes.

Furthermore, other London Boroughs have followed the same non immediate process for such an Article 4. The Royal Borough of Greenwich has acted in line with Government guidance.

### **Supplementary question**

Did any Cabinet Members read written legal advice which recommended a twelve month notice period prior to taking that decision, and if not, on what grounds can they justify that decision?

### **Reply -**

When the Council takes a decision reference is made in the report to legal and financial implications and that was the case when Cabinet took its decision, and would be the case when the Council takes any future decisions

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## PUBLIC QUESTIONS

**6. Question from Maria Freeman, SE18 to Councillor Jackie Smith, Cabinet Member for Community Safety and Environment.**

I raised questions earlier this year (February and March 2017) to Council about the state of Plumstead High Street and would appreciate an update. I am sure that all Plumstead residents welcomed the arrival of the jet washing team this summer, which has made some good progress in cleaning up the pavements. But presumably work is not yet complete as the High Street is still in need of attention. Because Plumstead has been neglected for so long, it is clear that more than one jet wash is going to be needed and that maintenance is an ongoing requirement, not a one off.

What programme has been put in place for the continued and ongoing deep clean/jet washing of Plumstead High Street?

**Reply -**

I thank Ms Freeman for her question

I thank you for your question. I can advise that the jet washing of Plumstead High Street is almost complete and will be finished by mid-October. We support the view that Plumstead High Street, along with our Town Centres, would benefit from having the pavements cleaned on a more regular basis, and we have committed to undertake this twice yearly. We have put together an annual programme which will start in 2018 and will run from April through to October every year. During this time we will deep clean the pavements in Plumstead High Street, Eltham High Street, Woolwich Town Centre and Greenwich Town Centre. We hope that a twice yearly clean of these area, together with a publicity campaign to encourage a responsible approach towards waste and refuse, will make a positive difference to the condition and overall look of local environment.

**No supplementary question**

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## PUBLIC QUESTIONS

**7. Question from Maria Freeman, SE18 to Councillor Danny Thorpe, Cabinet Member for Regeneration and Sustainability.**

Last month the Cabinet approved the start of the process to change Greenwich's planning rules in relation to future developments of smaller Houses in Multiple Occupation (HMOs); so that landlords will have to apply for planning permission for all properties they intend to convert and not just the larger properties. (Announcement 26 September 2017).

[http://www.royalgreenwich.gov.uk/news/article/1031/change\\_of\\_planning\\_rules\\_for\\_new\\_houses\\_in\\_multiple\\_occupation](http://www.royalgreenwich.gov.uk/news/article/1031/change_of_planning_rules_for_new_houses_in_multiple_occupation)

I note from the Cabinet paper (Appendix below) recommending the non immediate implementation of Article 4 Direction

<http://committees.royalgreenwich.gov.uk/documents/s59030/005%20-%20Appendix%20A%20to%20Article%204%20Direction%20on%20Houses%20in%20Multiple%20Occupation%20Report.pdf> that data on the concerns

arising from HMOs in this Borough have been gathered over a long time period - for example from 2013. While recognising that HMOs have their place in the housing market, many London boroughs have recognised the need for controls much earlier. Haringey and Newham implemented Article 4 Directions in 2013, Barnet in May 2016 and Bexley in September 2017.

Why has it taken Greenwich so long to take action to tackle the proliferation of HMOs in this Borough, resulting in a delayed implementation of protection for its residents?

### **Reply -**

I thank Ms Freeman for her question

I strongly dispute the assertion that the Royal Borough has taken too long to tackle the proliferation of HMOs in the Borough and it is too simplistic to compare with other local authorities whose circumstances and evidence would support additional measures at different time.

The Royal Borough of Greenwich has been concerned about poor standards in the private rented sector for some time. In 2013 we invested extra money to establish a team of officers to tackle the worst standards in

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privately rented accommodation. Since that time, we have visited over 1750 properties in total and carried out over 1330 formal investigations into unsatisfactory conditions.

In April 2017, the Royal Borough took the landmark decision to license all properties in the Royal Borough of Greenwich in a bid to drive up accommodation standards and crack down on illegal HMOs. The Article 4 Direction is another tool the Royal Borough is using to make sure that the expansion of Houses in Multiple Occupation is moderated, controlled and properly regulated.

**No supplementary question**

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## PUBLIC QUESTIONS

**8. Question from Deborah O'Boyle, SE18 to Councillor Danny Thorpe, Cabinet Member for Regeneration and Sustainability**

At the Plumstead Stakeholder Forum on 27 April, attendees were told that the former Warehouse Leisure Centre had not been marketed due to the necessity of surveys, because of the narrow access roads, to ascertain what kind of development might be feasible. What is the current thinking in this respect – especially regarding the possibility of at least a partial use of the land for sport and leisure provision and/or to provide more parking spaces for the planned Plumstead Centre?

**Reply –**

I thank Ms O'Boyle for her question

The site has not been marketed to date to ensure that any disposal does not compromise the Council's primary ambition which is the redevelopment of the existing library. The Council has not marketed the site for sale prior to the redevelopment to ensure that if necessary the site can be used to support the construction of the new facility, for example as a temporary compound for the construction facilities.

There are no plans to use the Warehouse site for parking provision or additional sport provision.

The multi-million pound investment the Council is putting in to Plumstead Library will bring a state of the art multi-purpose library, leisure and community facility. This investment, together with the other initiatives the Council has put in place in Plumstead such as the licensing of HMO's, dedicated planning enforcement teams, new wardens, additional street cleansing and waste services are a demonstration of the commitment the Council has to the regeneration of Plumstead. The Council has also put together and submitted a bid to the GLA's Good Growth Fund which is proposing additional investment in a number of initiatives in Plumstead.

**No supplementary question**

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**9. Question from Patricia Greenwell, SE9 to Councillor Jackie Smith, Cabinet Member for Community Safety and Environment**

What is the cost involved in cleaning the pavements of Eltham High Street to rid them of the discarded chewing gum?

**Reply -**

I thank Mrs Greenwell for her question

The cleaning of the pavements in Eltham High Street was carried out in June/July of this year. The specialist jet wash machine cost £31,000 and was purchased from the High Street regeneration scheme. The actual cleaning was carried out by two operatives. The cost of carrying out this work was £9,196. This includes the cost of staffing, cleaning materials, vehicle fuel and fuel to operate the pavement washing machine.

The Council will use the new machinery to carry out a deep clean of the high street twice a year in future.

**Supplementary Question**

Does the Council sign up to the Chewing Gum Action Group or any other schemes, to help the massive problem of discarded chewing gum on the streets?

**Reply -**

A written response will be sent to Mrs Greenwell