

Century House issues update – October 2001 (read out at meeting of 23 Oct)

Building works

1. CPS served a 'section 20' notice for the works in April 1999. The cost of the proposed works, inclusive of VAT and surveyors' fees was more than £250,000.
2. We agreed at a residents' association meeting in May 1999 that we wanted the works to go ahead but resolved to raise a number of key issues with CPS and also to seek legal advice on those issues. The key issues were: the increased cost of the works; whether there should be a contribution on behalf of Orange from whom, we believe, the freeholder (as owner of the roof lease) derives substantial income; protection and provision, if the works are not carried out within a period, for reimbursement of monies paid for the works.
3. We submitted observations on the proposed works in May 1999.
4. CPS responded in September 1999 but not to our satisfaction on the key issues.
5. We consulted Comptons, solicitors, in November 1999 and their advice was to commission a survey – cost circa £1,500 – and seek Counsel's opinion.
6. We asked our members for a subscription of £100 each in December 1999 to cover the cost of a survey and legal advice. 19 payments were received.
7. We haven't pursued the matter further since then.
8. I am in contact with leaseholders of other blocks of flats which are owned/managed by Longmint/CPS and some of those have building works problems. [One leaseholder was asked for a £5K contribution for what she says was essentially a redecoration task. This was reduced to £2.5K after the leaseholder arranged her own quotes though she was still billed £5K. Eventually this was corrected and £2.5K was paid in February 2001 but work had not started by July.][A second leaseholder in another block had paid for works which were due to be completed in November 2000 but were not complete in September 2001]
9. I spoke to a representative of CPS yesterday [22 October]. I was told that CPS intend to remove the external and internal works items from the service charge and to restart the consultation process, possibly with works being carried out in steps.

Dolphin Telecom Installation

1. The presence of this installation is a matter of grave concern to one resident who has a justifiable fear that her health may be affected; the safety of such installations is of general concern. It affects the value of our properties. It will impede the carrying out of building works.
2. The installation, which was ready to be commissioned two years ago, has never been switched on.
3. We believe that the Dolphin installation does not meet planning requirements, in particular that the work carried out does not accord with the description in the 'prior approval' application. We pursued this with the local planning authority, which is Lambeth, with the help of local councillor Julian Heather who sits on the Planning Committee. Cllr. Heather kindly wrote a report on our behalf to raise the issue.

4. On 4 April 2000, the Planning Committee instructed its Planning Department to negotiate with Dolphin for the re-siting of parts of its installation. If Dolphin failed to submit a satisfactory proposal within 28 days then the Borough Solicitor was instructed to serve an enforcement notice for the removal of the unauthorised development.
5. In June 2000, we further persuaded the Borough Solicitor that Lambeth was responsible for taking action if Dolphin had failed to have 'pre-notification' discussions with it. (According to a House of Commons Written Answer, in such cases a telecom operator would be deprived of permitted development rights and their development would be subject, instead, to normal planning law.) Lambeth state they have no record of 'pre-notification' discussions.
6. We also persuaded Lambeth to take up other issues:
 - o Did Dolphin have 'control of land' (which their license requires) – the copy of the roof lease we obtained indicates not, it states that the roof area is for Orange's use only;
 - o Was consideration given to mast sharing with Orange as Planning guidelines and Dolphin's license requires – Dolphin did not say in their application;
 - o Will members of the public be adequately protected from equipment which is sited very close to the roof hatch, the only means of access to the roof.
7. We last heard from Lambeth in June 2000. The installation remains in place. I attempted to call the Borough Solicitor today [23 Oct 2001] and left a message for him to call me. [The Borough Solicitor has since referred me to an Enforcement Officer. The Enforcement Officer tells me that he does not want to make an order as he doesn't think it would stick – apparently he has taken on himself to overrule the Planning Committee. I asked him to write to me and explain the current situation and why no progress had been made for 15 months.]
8. As far as the freeholder and their agents are concerned, they announced, *including to our MP*, that work was suspended though it continued and representatives of the telecom operator came to commission the equipment. It was also announced that there would be an investigation into health concerns but we weren't party to that and have not been informed of the results.

Orange telecom

1. We complained to CPS in October 2000 that work on the Orange installation during that month was not to install a filing cabinet as had been stated (twice) in writing but to upgrade the capacity of the base station. We complained about disturbance that the work caused, asked on what authority it was carried out and why we had not been consulted. We have had no response.

Consultation exercise

1. In June 2000, CPS appointed CLEAR, a communications company, to conduct a consultation exercise on Century House problems. David Hoon and I met with representatives of CLEAR to show them around the block and give them our perspective on the problems.

2. Unfortunately the questionnaire which CLEAR asked leaseholders to complete took no account of problems which had arisen during the tenure of the current freeholder/agents though it did ask questions about the Residents' Association. It seemed more like a propaganda exercise than part of a genuine effort to resolve problems.

General management

1. We've had no service charge accounts, budgets or payment demands for the last two years. CPS said yesterday [22 October] that they would issue accounts and demands shortly.
2. Carpets. Until about ten days ago, carpet on the main staircase was ripped and in dangerous condition. This has now been removed.
3. Windows. The window façade which faces the High Road is a poor state. The frames are rusted which puts pressure on the panes which ultimately crack and break. CPS promised yesterday [22 October] that work would be carried out shortly to replace cracked and broken panes.
4. Lift maintenance. We've expressed concern many times in writing and at meetings with CPS about an apparent lack of lift maintenance.
5. Fire. Work is still required to repair damage caused by a fire at the back of the block, by the bin store, in June 1999. CPS have not responded to our written requests.
6. Dumping of large rubbish items. This occurs frequently. Leaseholders are responsible for their tenants and for contractors who work at their property; they should ensure that rubbish is properly disposed of. In the last week or so [16 October – 22 October] the agents have arranged removal of a large amount of rubbish.

Streatham on the tube

1. Some good news: two weeks ago the Government approved London Transport's plan to extend the East London line of the underground. One new branch will use existing overground track to connect, via Streatham station, to Wimbledon station. Streatham will have a direct line to the City and Docklands and a link to the underground network. More information is available on the Internet at <http://www.thetube.com/content/pressreleases/0110/09.asp>

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