

Partners Residents Open Forum Meeting 16 May 2019

Partners' staff: John Venning, Asset Manager, Katrina Dalby, Service Improvement and Engagement Advisor

Islington Council staff: Ross Treseder

10 Resident attendees

Discussion Item	Response if applicable	Actions
<p>Airbnb A resident asked about the type of evidence needed to show that Airbnb is causing nuisance. They also asked whether residents can install CCTV in the communal areas and what to do if people are smoking in the communal areas.</p>	<ul style="list-style-type: none"> • Legal Framework <p>The lease sets out the contractual obligations of the leaseholder and the landlord; what the leaseholder has contracted to do, and what the landlord is bound to do.</p> <p>The lease places certain conditions on the use and occupation of the flat. If the leaseholder breaches any of the terms of the lease, the landlord can take action to enforce the term.</p> <p>Clause 3(9) of a standard lease;</p> <p>"The Tenant ...covenants with the Council as follows: (a) Not to use or permit or suffer to be used the Demised Premises or any part thereof other than for residential purposes (b) Subject to the provisions of Clauses 3(11) 3(14) and 3(15) hereof not to sublet or otherwise part with possession of any part as opposed to the whole of the Demised Premises."</p> <p>Clause 3(17) of a standard lease;</p> <p>"Not to do or allow to be done.....any act....which may be or grow to be a ...nuisance or annoyance or disturbance to the Council or to the occupiers for the time being of any other dwellings in the Building or to any adjoining or neighbouring premises...."</p> <p>Action could be taken under the Environmental Protection Act 1990 –</p>	<ul style="list-style-type: none"> • Partners to update resident on evidence that they can submit to support their claim that they are being disturbed by Airbnb

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	<p>statutory nuisance, via the County Court (Injunction), or by seeking a determination by the First Tier Tribunal (Property Chamber) that there has been a breach of lease, and then serve a s146 notice for forfeiture action.</p> <ul style="list-style-type: none"> Leaseholders cannot be prevented from using their properties for Airbnb, but will be informed of the pitfalls of doing so, and action will be taken on nuisance grounds should there be sufficient evidence. Council tenants are not permitted to use their properties for Airbnb. If a resident is being disturbed (noise, smoking, rubbish etc) by a neighbour's Airbnb guests they should contact our Housing Management Team on 0800 587 3595 or enquiries@partnersislington.net. The types of evidence that could be collected to demonstrate the disturbance are photos, noise recordings, corroboration by others – e.g. statements and diary sheets. Residents can request permission to install CCTV in the communal area, but permission would only be given for CCTV which was trained on the applicants own front door. It cannot and must not film other areas of the communal area. Contact our Housing Management Team for more information on 0800 587 3595 or enquiries@partnersislington.net. 	
<p>Alterations A resident asked whether Partners consult neighbours when an alteration request is submitted.</p>	<ul style="list-style-type: none"> Partners website details the alterations policy and advice for residents is available via our website: Tenants: www.partnersislington.net/tenants/improving-your-home/ Leaseholders: www.partnersislington.net/leaseholders/alterations-and-improvements-to-your-home/ The impact a proposed alteration may have on neighbours, listed building and conservation guidelines where applicable will always be considered as part of the alterations considerations. If an alteration is proposed to a communal garden or area, residents would need the agreement of everyone at the address before the alteration would be considered. If Partners become aware of an unauthorised alteration, the responsible resident would need to apply for retrospective consent. The same 	

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	<p>criteria are used for determining whether retrospective consent is granted. If consent is not granted residents would be expected to return the building to its original state.</p>	
<p>Clear and safe policy A resident raised asked whether a building's insurance was invalid if the clear and safe policy hadn't been implemented.</p>	<ul style="list-style-type: none"> • Building's insurance is still valid if items in the communal areas have not been removed. 	
<p>Tenant/Partners Repairs Obligations A resident asked which repairs they are responsible for.</p>	<ul style="list-style-type: none"> • Tenancy agreements state resident and landlord responsibilities. • Tenant and Leasehold handbooks explain in detail all tenant, leaseholder and landlord responsibilities and are available on our website www.partnersislington.net/publications/. If you'd like a copy posted to you please contact us on 0800 587 3595 or enquiries@partnersislington.net. • If you're unsure about repairing obligations please contact us for help. 	<ul style="list-style-type: none"> • Partners to post handbook to resident.
<p>Fire Safety A resident asked about the fire safety programme and whether Partners will carry out any work Islington Council identify.</p>	<ul style="list-style-type: none"> • Islington Council have started a programme to install fire detection systems in the internal communal areas of all their street properties including those managed by Partners. The programme is expected to take 2-4 years to deliver and the Council will be writing to residents with more details on the fire detections systems and when their property is likely to be completed. Some residents have started to receive letters and inspections. • Larger blocks will be prioritised. • Flats will be fitted with heat sensors which will be linked to an integrated fire detection system in the communal areas. Residents' individual smoke alarms will not be linked to the integrated fire detection system. • All front doors will be assessed to check that they adhere to fire regulation FD30 (doors withstand 30 minutes of fire). It is expected that most doors will already meet this standard and all that will be required is the fitting of a door closer. • Intumescent strips will be fitted around front doors. These expand when 	<ul style="list-style-type: none"> • Partners to send IC's Fire Safety Team contact details to resident and to share history of specific property with Council's team.

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	<p>they get hot to minimise smoke spreading.</p> <ul style="list-style-type: none"> Any work identified by Islington’s surveyors will be managed by Islington Council. 	
<p>Trees A resident asked what can be done if a tree in a neighbour’s garden is reducing light into their home. A resident also asked whether residents can plant trees in gardens.</p>	<ul style="list-style-type: none"> If a tree in a neighbour’s garden is causing a nuisance we would recommend that you talk to your neighbour and explain the issue. Ideally you will be able to find a mutually agreeable solution. You can find out which trees are protected on Islington Council’s website here: <ul style="list-style-type: none"> www.islington.gov.uk/sports-parks-and-trees/trees/protected-trees Islington Council retains responsible for their trees and their tree policy is available on their website: www.islington.gov.uk/planning/trees_and_landscape/tree_guidance On 1 April 2019 Islington Council moved from a reactive to a programmed approach to tree maintenance. Details of their programme are available on our website: www.partnersislington.net/news/tree-service-update/ Leaseholders are responsible for trees in their own gardens. Partners do not carry out any work to trees. In a shared garden all residents must agree to any tree planting. In a sole use garden residents can choose what they plant. Partners do not offer any advice on suitable trees for planting. If a resident would like to know more about the suitability of a tree they should speak to a relevant expert e.g. at a garden centre. 	
<p>Scaffolding A resident enquired about communication where scaffolding is in place.</p>	<ul style="list-style-type: none"> We know that residents find scaffolding inconvenient and want it in place for as short a time as possible. Last summer we introduced a new range of letters to improve communication when scaffolding is needed by our Responsive and Major Works Teams. This included additional letters to neighbours which keep them updated throughout the repair process. If residents have any questions about scaffolding they should contact us on 0800 587 3595 or enquiries@partnersislington.net. 	<ul style="list-style-type: none"> Partners to check whether letters were sent to resident.
<p>Pets A resident asked whether</p>	<ul style="list-style-type: none"> Tenants require permission to keep a dog. Full details are available on our website: 	

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<p>permission is needed for to keep a dog.</p>	<p>www.partnersislington.net/tenants/keeping-a-pet/</p> <ul style="list-style-type: none"> • Tenancy conditions state 'You, your friends, relatives, visitors and any other person living in the property, including children, must not do any of the following: keep a dog at the property without first obtaining our written permission, which will not be unreasonably withheld, delayed or withdrawn'. • Leaseholders don't need our permission to keep a dog or any other pet. • If a pet causes a nuisance Partners Anti-Social Behaviour Team will deal with it as a complaint of nuisance. • If pets are causing nuisance please contact Partners on 0800 587 3595 or enquiries@partnersislington.net and we will investigate. 	
<p>Universal Credit Partners are looking at the information and support we give residents in receipt of UC and want to see whether there's more that we can do.</p>	<ul style="list-style-type: none"> • Currently in Islington the average arrears for residents in receipt of Universal Credit are 3 times higher than those on Housing Benefit. Around 350 Partners residents currently receive UC. • When we establish that a resident is to start receiving UC we contact them and offer help and an appointment with Bernadette our Tenancy Sustainment Advisor. • Anywhere throughout the UC process we can support residents and make referrals to support agencies. Residents have to give us their permission to share their details. We can't refer them without their agreement. We refer to agencies such as law centre, SHP, Help on your doorstep, ageUK, and our Successful Tenancies Advisor etc. • We've reviewed the Universal Credit website content with a couple of residents and this has now been updated. 	<ul style="list-style-type: none"> • Residents to review website and share ideas with Katrina Dalby on 0800 587 3595.

Date of next meeting – Thursday 18 July 2019 – 222 Upper Street

