

Tenants and Non-Member Leaseholders: This Concerns You Too!

This newsletter brings you up to speed with our battle to encourage Camden to fix the heating and hot water system on the estate. We have a common cause and want to keep everyone informed.

Annual General Meeting

Our Annual General Meeting will be in the **Garden Room** on Retcar Place, the end nearest Dartmouth Park Hill, on **Wednesday January 18, 2023, at 7.00 pm.**

Among the agenda items (see last page of this leaflet) will be electing officers and committee members and deciding the way forward in our campaign around the heating and hot water system. We have a vacancy for a treasurer which we must fill. We also need someone to help set up a website. Please turn up and have your say! (Only leaseholders may vote but everyone is welcome.)

Leaseholders Demand Redress

Tenants, leaseholders and Council Tax payers should not have to pay for someone else's mistakes. There is a case to be made that the heating and hot water system do not meet the "reasonable standard" required by law (The Landlord and Tenant Act, 1985). We have told Camden that **every leaseholder on the estate may be entitled to redress**, in the form of reimbursement for those who have paid for the Major Works, or a reduction in the invoices for those who have withheld payment.

Whilst we continue to seek constructive dialogue with Camden we are also seeking legal advice. (See p. 4 of this leaflet.) On December 5, 2022, we sent the basis for such a claim to senior Camden officials responsible for housing, asking for their response within two weeks. At the time of writing, in January, they have not replied.

Revealed: Why There Are Defects in the Heating and Hot Water System.

A Camden document explains there are two major flaws in the heating and hot water system: the first is Heat Interface Unit (HIU) strainers "continually blocking with detritus". The shutdown and flushing of the system in September 2021 were supposed to solve the problem but did not entirely succeed.

A leaseholder recently reported to Camden a filter "thick with greasy particles smaller than sand grains", which was cleaned at the end of December 2022. The need for frequent filter cleaning seems to be a common problem of HIU-based systems.

More specific to our system is a basic design flaw. As the Camden document reports, the "original design is based on a variable flow but appears not to have made any provision for differential pressure control valves." Translation: there is a problem with balancing water pressures across the estate. Pressure-reducing valves have been retrofitted to some of our HIUs, but the valves and actuators seem to be a weak spot in the system, needing frequent replacement. The Camden document admits there are "deficiencies in design" and "operational problems" which are "costly, inefficient and . . . damaging to our residents".

How Teamwork by Our Members Exposed Camden Misinformation

At a meeting in May 2022, Camden officers presented that the problems with the heating and hot water system had been largely resolved. They then sent us a table of the number of "callouts" in the previous 12 months, showing them dwindling to hardly any by March and April.

We could tell the figures were dodgy.

Remember last March when we asked our members to send in reports and screenshots of repair information from your Camden Accounts? Camden's figures did not match the information members provided.

A resourceful resident sent us the results of a Freedom of Information request which showed the scale of the misrepresentation. In March 2022, there were eight times as many "Works Order References" as the number that Camden told us of.

The attempt to pass off inaccurate information shows that Camden officers are either badly misinformed, or are careless in handling information. Neither possibility gives us confidence.

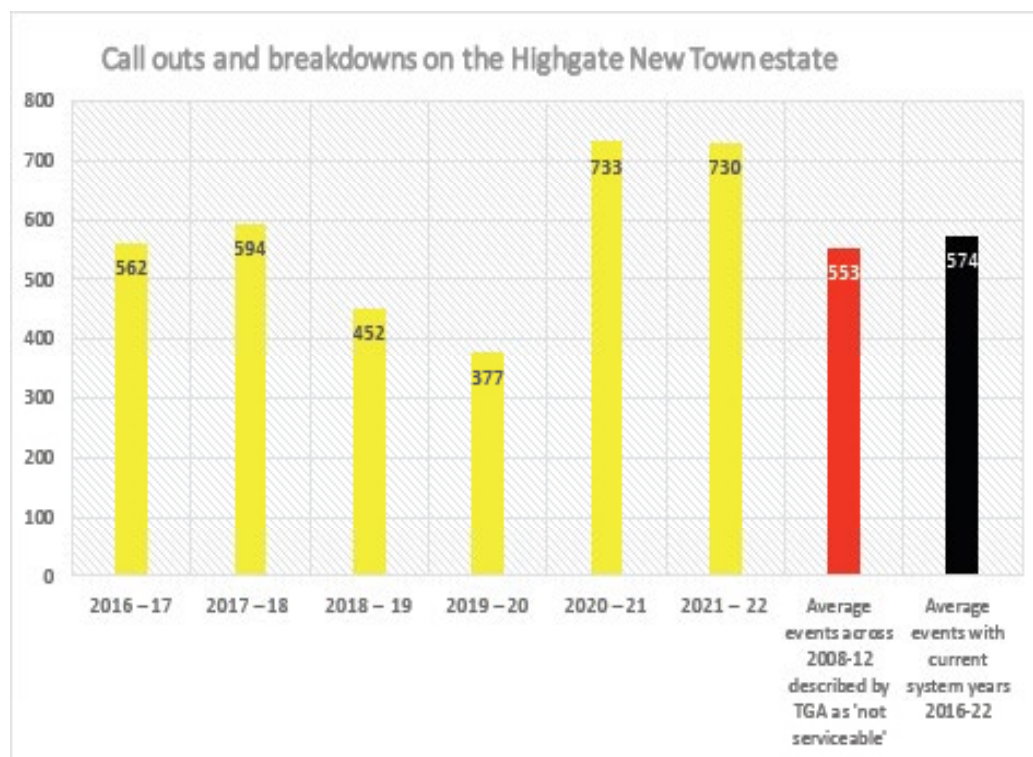
Timeline of last year's (2022) activities by the association

2022 was our first year and a busy one, as we tried to hold Camden to account in the face of repeated stonewalling and misinformation. Here are some highlights of the year's activities

January	<p>Highgate New Town Leaseholders Association officially recognised by Camden. Officers meet local councillors Sian Berry and Anna Wright, who provide useful advice.</p> <p>Camden produces "Consultancy Project Brief", which reports the following problems: Poor or no heating and hot water • Long wait times for hot water • Noise from the HIUs/ actuators • Reduced flow at the hot and cold water outlets when one or more of the taps are turned on • No domestic water flow at peak periods.</p>
February	<p>Camden issues "Final Accounts" for the heating and hot water Major Works.</p>
March	<p>HNTLA sends Camden an official Notice of Dispute asking for the system to be rectified and proposing discussions leading to a resolution of the cost issues. Leaseholders send in reports of repair requests and contractor no-shows.</p>
May	<p>HNTLA reps meet Camden officers and councillors. Camden claims the heating and hot water are fine. Camden promises contract documents, an anonymised satisfaction survey, and a report by the engineering firm Max Fordham LLC. Councillor Wright suggests June deadlines and Camden officers commit to them.</p>
June	<p>None of the promised documents are received.</p>
July	<p>Camden sends HNTLA a record of the number of repair "callouts" to support its claim that the system is working fine. The results of a Freedom of Information request by a resident expose those data as bogus: they undercount the actual number of callouts by a factor of eight.</p> <p>GEM twice cancels scheduled appointments to activate heat meters. The second set of appointments, a full week's worth, are cancelled on a rolling daily basis without notice.</p> <p>HNTLA asks Camden to require the contractor to compensate residents for contractor no-shows or same-day cancellations. Camden ignores the request.</p>
August - September	<p>Camden repeatedly agrees to provide the Max Fordham report and other documents. It misses all its stated deadlines.</p>
October - November	<p>Camden issues legal threats through its solicitor to take leaseholders to court for unpaid Major Works invoices.</p> <p>HNTLA sends a reminder of the promised documents, which Camden ignores.</p>
December	<p>HNTLA sends Camden a Notice setting out the case for compensation/a reduction of costs for all leaseholders on the grounds that the heating and hot water system does not meet the "reasonable standard" required by law.</p> <p>HNTLA submits a Freedom of Information request for all the material – contract information, satisfaction survey, etc – that Camden has promised but has withheld.</p> <p>Camden's solicitor sends leaseholders with outstanding invoices a Consent Order for them to sign in order to hold legal action for three months. We cannot give legal advice, but we can report that some leaseholders are signing the Consent Order, without waiving their right to claim compensation. Camden cheekily demands interest payments and legal costs, overlooking the fact that leaseholders are withholding payments because Camden has failed for six years to meet its responsibilities as a landlord by providing a reliable heating/hot water system.</p>

Number of Faults in the Old and New Heating and Hot Water Systems, Highgate New Town

For the first time, the data presented here, obtained through Freedom of Information, enable us to see what Camden tried to hide: the measurable deficiency of the heating and hot water system



Note 1: Camden provided the 2016 to 2022 data in response to a Freedom of Information request. June 23, 2022, is the last date for which they provided data on “Works Order References” (callouts for problems such as loss of heat and hot water), so we have counted the years from June to June.

Note 2: TGA Consulting Engineers, the designer of the heating and hot water system at Highgate New Town, provided a benchmark for the acceptable level of reliability of a heating and hot water system. (Alex Maguire of TGA was the designer of the current Highgate New Town system.)

Camden commissioned TGA to conduct a review of the performance of the old heating and hot water system in January 2013. It found that there had been 2766 system breakdowns and problems such as leaks and loss of heat between January 2008 and December 2012. The report observed, “A serviceable community heating system should not be experiencing problems to the extent identified above”. (TGA Consulting Engineers, *London Borough of Camden Highgate Newtown: Pipework Condition Review [Revision 002] [January 2013]*, p. 4). These findings were used as part of Camden’s case to justify replacing the old heating and hot water system.

The number of problems in the old system across the five-year period Jan 2008 to Dec 2012 equates to an average 553 problems per annum ($2766 / 5 = 553$).

The number of Works Order References for the new heating and hot water system for the last two years – June 2020 to June 2021, and June 2021 to June 2022 – considerably exceeds the number that TGA found a serviceable system “should not be experiencing”.

There were 733 problems in 2020–2021 and 730 in 2021–2022. The number of problems in 2021–2022 is 32% higher than the number that TGA said a serviceable system “should not be experiencing”. The average in the last six years is worse than that in the 2008–2012 period.

The data demonstrate that the new heating and hot water system at Highgate New Town has never worked to an acceptable level, and that its reliability is getting worse. Camden’s contractor has never conducted routine maintenance for the heat interface units, as the manufacturer recommends.

Freedom of Information

We submitted a new Freedom of Information request in December to obtain contract information about the heating works, a report Camden commissioned from the engineering firm, Max Fordham, and an anonymised satisfaction survey.

Camden has not yet delivered an answer to the basic question of when “Practical Completion” was certified.

Camden now has a finite period in which to respond.

We have included a request for the last six months’ data in our FOI request.

Agenda for The AGM, Wednesday 18th Jan, 2023

Please find below the agenda for the AGM in **The Garden Room, on Wednesday January 18, 2023, at 7.00 pm**. Please come along and make your views heard,

Agenda

1. Election of Officers and Committee Members
2. Chair's Report
3. Treasurer's Report
4. Legal Developments and Next Steps
5. Campaign Activities
6. AOB
7. Diary Dates

Estate Lights on 24/7

An alert resident has repeatedly informed Camden that the bulkhead lights on the estate are being left on 24/7. The lights are not needed during the daylight hours and are wasting energy and money: tenants' and leaseholders' money, because we pay for the electricity.

On each occasion, Camden eventually switches them off, but only after they have been wasting energy for several days. Camden has ordered an investigation of why it keeps happening. The Association asked the Camden collections officer who has been chasing the invoices for the heat and hot water system whether we can expect a proportionate reduction of our charges. In the now-familiar mantra: no reply.

This is a parable for the problems ailing us: Camden helplessly baffled by events it should be managing, all the time burning away other people's money.

Contact Details

Sue Dawson	Chair	suedawson2012@gmail.com)
Patrick Hagopian	Secretary	patrickhagopian@gmail.com
Henry Coleman	Treasurer	Note: Henry Coleman is not standing for re-election as treasurer
HNTLA		hghgtwnwn@gmail.com

Contractors Don't Turn Up and Camden Doesn't Care

A recurrent experience of residents is waiting home all morning or afternoon for a visit by a contractor who doesn't turn up.

This is not just annoying; it has costs, because the residents may have rearranged their lives and taken time off work to attend the appointment. This has happened far too often for it to be dismissed.

Camden seems finally to believe that the problem is not that the resident has wandered off but is a contractor problem.

The Association has requested that Camden insert a clause in its contracts saying that contractors who don't turn up for appointments or who cancel on the same day have to compensate the resident. That would correct the current imbalance, which places all the

costs of no-shows on the resident.

You would think this would be a no-brainer, wouldn't you?

It would appropriately compensate residents and lead to improved reliability by incentivising the contractor to turn up. Camden has not responded to this proposal. Camden officials seem to have no plan for correcting the abuses that their tolerance is inviting.

Please Volunteer

Our activities are limited only by the energy our members contribute. We are facing a crucial period in the campaign.

We could use your help, whether as a committee member, an officer, or someone who volunteers

for a specific task.

Contact someone on the above list to talk about the options or to arrange to attend a committee meeting to see what it is like.

Contributions for Legal Advice

We are seeking legal advice on options such as taking Camden to a tribunal or seeking Alternative Dispute Resolution.

Thanks to the generosity of our members, we have now gathered a substantial amount in pledges. Several people pledged £100 or £200 and one has pledged £500 anonymously!

Please contribute £100, £200, £500, or whatever you can. No need to pay yet: we are now just gathering pledges. Please contact Patrick Hagopian or HNTLA at the emails above to make a pledge.