
From: jmlakeman [redacted]
Sent: 11 December 2015 09:33
To: SWEENEY, John (john.sweeney@parliament.uk)
Subject: FW: Stage 1 Complaint Response

John

I suggest Victoria is made aware of this before the meeting on Monday. My attempt at a compromise has clearly failed!

Kind regards.

Judith

From: Edward Daffarn [mailto:[redacted]]
Sent: 10 December 2015 23:33
To: Peter Maddison
Cc: [redacted] R BLACK TMO; SWEENEY, John; Cllr.Paget-Brown@rbkc.gov.uk; complaints@kctmo.org.uk
Subject: RE: Stage 1 Complaint Response

Dear Mr Maddison,

I am not going to waste my time responding to the distortion of facts that you have served up as an excuse for a response to my Stage 1 complaint.

In fact, you seem to have used this as a further opportunity to threaten me with forced entry to my home rather than concentrate on the allegations of harassment and intimidation that I was making against Officers of the TMO.

I intend to save a full written explanation of the inaccuracies you have provided for when this complaint gets to the Housing Ombudsman.

In the meantime please be advised that I reject the findings of your investigation and request that this complaint is taken to Stage 2, as soon as possible, using the information provided below and supported by my local Ward Councillor and TMO Board Member, Cllr Judith Blakeman in an email sent to Janet Seward on 7th December:

Dear Complaints

Following a meeting this morning with Mr. Daffarn, I am writing in support of his referral of his formal complaint to **Stage Two of the Complaints Procedure** on the following matters.

Access to his property

Mr. Daffarn gave good notice that he would be out of the country from the [REDACTED] [REDACTED] Before he left, he had a meeting with Ms. Prentice and "Stuart" of Rydon to fix a date for the works to his flat to commence on his return. During that meeting he asked for a detailed explanation of how the works would be carried out and made a suggestion as to how the works could be modified to suit the conditions in his flat. He was told that Rydon could not answer that suggestion; only Ms. Williams could reply. Mr. Daffarn left it on the assumption that Rydon would progress his enquiry during his absence with Ms. Williams; Rydon thought that he would raise it with Ms. Williams himself, so the issue was not addressed.

On his return, he received a letter stating that the works were due to start on 2 December. As his outstanding queries had not been addressed and the date had not been mutually agreed, he advised Rydon that they would first have to liaise with Ms. Williams before the works could begin.

Harassment

Instead of a response from Ms. Williams, the next thing he received was a hand-delivered letter from the TMO's solicitors. He states that there was no need for this. What was required was a discussion with Ms. Williams and Rydon about how the works in his flat would be carried out. Consequently he lodged a formal complaint claiming undue harassment.

Instead of receiving a response to this formal complaint, he then received a second hand-delivered solicitors' letter, stating that the works would commence from 8 am on 14 December. However, as the TMO is well aware, Mr. Daffarn has arranged a meeting with Cllr Victoria Borwick MP, Mr. Maddison, myself and others for that morning, so that start date is not convenient. And Mr. Daffarn has still not had the discussion about how the works will be carried out.

Furthermore, since receipt of the first solicitors' letter, Mr. Daffarn remained at home all morning on 2 December for the visit from Rydon. No one attended, but he was not advised that no one would be coming. This was a discourtesy and requires an apology.

Loss of trust

There is a further matter that needs to be addressed, given the level of distrust between Grenfell Tower residents and the TMO and Rydon in general and Mr. Daffarn in particular. This is the incident when the door to flat no. 136 on Mr. Daffarn's floor was left open all weekend due to a defective door fastening. The response he received - that the door was not left open – was clearly and demonstrably untrue. In view of this misinformation, Mr. Daffarn feels unable to trust any assurances that are given to him concerning the works to his flat.

However, he is very willing to provide access to Rydon operatives to complete the works to his flat so long as:

- The date is mutually agreed in advance
- He is able to meet with Rydon representatives and Ms. Williams beforehand to understand precisely how the works to his flat will be carried out
- He can be reassured that his furniture and property will not be damaged during the process.

He also requires a response to his question as to why the TMO wasted money using solicitors' letters to pressure him instead of responding directly to his substantive concerns. Finally, may I please be reassured that no more solicitors' letters will be sent to Mr. Daffarn in the meantime?

Kind regards.

Cllr Judith Blakeman

Regards,
Edxward Daffarn

From: pmaddison@kctmo.org.uk
To: [REDACTED]
CC: complaints@kctmo.org.uk
Subject: Stage 1 Complaint Response
Date: Tue, 8 Dec 2015 17:07:27 +0000

Dear Mr Daffarn

I am writing in response to your messages to various officers of KCTMO dated 2nd, 3rd, 5th and 7th December 2015. I am considering this matter at Stage 1 of the KCTMO Complaints Procedure.

On 29th October 2015 Claire Williams wrote to you with an appointment to install the new heating system in your home. This letter was hand delivered and explained the work that was to be carried out and detailed that access to your home was required for 5 consecutive days from Tuesday 2nd December at 8am. The letter stressed the importance of you keeping this appointment date and that if you do not give access that an injunction would be served. You were also asked to sign and return a form enclosed in the letter to confirm you agreed to the proposal. You did not return this form.

On 1st December our solicitors, DMH Stallard wrote to you to confirm that work in your home would commence on 2nd December at 8am and would continue for 5 days. The letter also explained that if access was not provided on that date then we would apply to the County Court immediately for an injunction requiring access for these works.

On Monday 1st December, two representatives from Rydon, called at your home to check that you were ready for the works to commence the following day. You told Rydon that you were not aware of the appointment and were not prepared to let Rydon in on 2nd December. You told them that you were not prepared to be "bullied into the works" and gave a number of conditions that you wanted to be met.

Rydon did not attend at 8am on 2nd December as you had informed them the previous day that you were not prepared to give access. However, further to your e-mail received on 2nd December, Rydon called at your home on that afternoon of Tuesday 2nd December and you were not at home. Rydon left a card to confirm that they had called.

The scope of works has been described to you in detail and is consistent with what has been on display in the show flat and with the work that has been carried out in other flats in Grenfell Tower. We have asked you to allow access to carry out reasonable works in the context of our landlord obligations and require you to give access in accordance with the terms of your tenancy.

As you are aware, we need access to your home to complete the installation of the new heating system. You have an obligation under your tenancy to give access to complete essential works. Our solicitors, DMH Stallard have written to you again to confirm a revised appointment date of 8am on 14th December. I now note that you state that this date clashes with a meeting with Victoria Borwick MP. We therefore propose to commence the work to your home at **8am on Tuesday 15th December**.

If you do not give access on 15th December, we will proceed to apply to the County Court without delay for an injunction requiring you to allow access for these works and will seek the costs of that process from you. I would urge you to allow access on this date to commence these works. If you have any specific questions relating to the work, or want Rydon to visit your home in advance to explain them, please contact Rydon's Resident Liaison Officer, Lynda Prentice on [REDACTED] or [REDACTED]

I do not uphold your complaint as KCTMO have taken reasonable steps to agree access and Rydon did not attend at 8am on Tuesday 2nd December because you told them directly that you were not prepared to let them into your home.

In response to your request for information to be disclosed under the Freedom of Information Act, I can confirm that we do not hold records of telephone conversations with solicitors, and, we are unable to disclose records of communications with our legal advisers as it is confidential information. According to Section 42 of the Freedom of Information Act 2000, any Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings is exempt information.

This letter serves as a Refusal Notice. Should you be unhappy with the handling of your request, you have a right to complain to the Information Commissioner who is responsible for ensuring compliance with Freedom of Information Act 2000

Yours sincerely

Peter Maddison

Director of Assets and Regeneration



t: [REDACTED]

a: The Network Hub, 292a Kensal Road, London, W10 5BE

Before printing, please think about the environment

This e-mail message has been scanned for Viruses and Content and cleared by **MailMarshal**

DISCLAIMER:

This E-mail and any files transmitted with are intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the System Administrator. This message may contain confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this email.

Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Kensington & Chelsea TMO Ltd. Finally, the recipient should check this email and any attachments for the presence of viruses. Kensington & Chelsea TMO Ltd accepts no liability for any damage caused by any Virus transmitted by this email.