

HARINGEY LEASEHOLDERS' ASSOCIATION

MINUTES OF THE COMMITTEE MEETING HELD AT 3 TENTERDEN ROAD, N17, ON MONDAY 2 JULY 2012

Present

Sue Brown (Chair) (SB), Nick Martin-Clark (Treasurer) (NMC), Peter Gilbert (Secretary) (PG), Rita Batzias (Committee Member) (RB), Anne Gibson (Committee Member) (AG) and Kate Worley (Committee Member) (KW).

Appointment of Chair for Meeting

The members present agreed to appoint Anne Gibson as Chair for the meeting, as Sue Brown felt that she had been too out of the loop.

Apologies

Apologies for absence were received from Delsie Grandson. NMC advised that Delsie was not well.

Minutes

The draft minutes for the meetings held on 3 April and 30 April 2012 were considered and, subject to certain amendments, were approved. PG agreed to circulate the minutes, as approved.

Matters arising not covered elsewhere in the agenda – Complaint re Freedom of Information Requests

NMC suggested that Jackie Thomas's resignation, for which no public reason had been given, might have been directly linked to HLA's requests under the Freedom of Information Act. The HfH Board had never been informed that she had approved financing the postage costs of HLCG's mailout for their inaugural general meeting. His initial request for access to correspondence in connection with the HLCG meetings of December 2010 and February 2011 had been rejected as vexatious. He had then (October 2011) sought the view of the Information Commissioner's office, where the matter had come to the top of the pile in February 2012. The IC's office had advised him that emails from HLCG contained personal information that would normally be expected to be kept private, and that there needed to be a public interest argument to override this. NMC suggested that we should await the formal decision of the IC on this matter before submitting new matters for the IC to consider.

Matters Arising - Appeal against De-recognition

It was agreed that it was not appropriate at the present time for HLA to consider withdrawing its appeal against de-recognition by HfH. HfH was not providing any information about progress towards arranging a hearing of the appeal, which under

the recognition criteria had to be heard by an Appeal Panel consisting of at least three members of the HfH Board.

NMC went on to say that Mike Jones had been Chair of the HfH Board when HLA had been de-recognised in 2010. Before the meeting of the Board on 19 June, the Committee had asked for the HfH Governance Team to arrange for Board members to ring HLA to discuss the application for 2012-3. NMC had rung Mr Jones's workplace and had been advised that Mr Jones was on holiday and would not return until the end of June. NMC had thus been surprised to see Mr Jones at the Board meeting and had subsequently emailed him at his workplace.

In reply to KW, NMC said that there was no time-scale on the appeal. SB explained that HLA had first tried to complain to HfH and had then complained to the Local Government Ombudsman about the process and decision. NMC added that if HLCC had not been set up, it might have been possible for HLA to apply for re-recognition in April or May 2011, after the 2011 AGM, and hence there might have been no need to appeal against the Board's original decision to de-recognise HLA.

Next steps after HfH's refusal to grant application for recognition for 2012-3

NMC wondered whether HLA had a right of appeal against HfH's refusal to recognise the Association, as distinct from de-recognition. KW said that HfH would just reject any appeal. SB commented that, having gone through Sharon Morgan's report to the Board, she thought that much of it was nonsense. KW added that HfH would keep finding reasons to reject the application: this was why HfH wanted to know the ethnic background of the HLA membership.

NMC agreed that the representative nature of HLA was an important issue. HLA had an equal opportunities policy, but had never been required to keep records of the ethnic background of its members. SB said that the HLA membership was the whole of Haringey Council's leaseholders, except for those who said they did not want to be members or those who had been expelled. HfH had records of the ethnic background of its leaseholders, whereas, AG commented, HLA had no means of collecting such information. NMC commented that HfH knew the ethnic mix of the borough. He wondered whether HLA could do more to attract people from different backgrounds to General Meetings. HLA could say to HfH that the Committee regretted inadvertently omitting a line from the AGM notice that leaseholders could request a copy of the notice in any other language or format, and would have been happy for HfH to add such a line to the notice, as well as that we would include it in future.

KW commented that HLA needed HfH to spell out what they wanted from HLA. NMC added that at the meeting on 20 July the Committee members should ask Eamon McGoldrick and Sharon Morgan for clarity and ask what HfH wanted from the Association over and above the matters that were set out in the report to the HfH Board in order to be acceptable for recognition. KW suggested that the Equalities

Act, which had only recently come into force, might require HfH, as a public body, to produce more information. SB said that the rules that HfH applied to local Residents Associations might not necessarily be applicable to HLA as an umbrella organisation.

AG suggested that HLA explain to HfH that it was unreasonable that any one person should have the ability to prevent spending which had been agreed by the Committee. Other public bodies had constitutions which permitted cheques to be signed by any two of three specified office-holders. NMC suggested that HLA offer a compromise to HfH, that, if HfH was genuinely saying that HLA would not be recognised unless the Treasurer signed every cheque, HLA would be prepared to vary its constitution for a limited period, say 15 months, in the hope that the HfH Board would discuss the matter meanwhile with a view to reaching agreement with HLA. SB felt that HfH would regard that as the thin end of the wedge. NMC said that HfH had said that if HLA did not discuss the constitution HfH would not re-recognise the Association.

Meeting with HfH

SB, KW, NMC, AG and PG would attend the meeting on 20 July with Eamon McGoldrick and Sharon Morgan of HfH, and RB would notify her HLA colleagues if she was able to do so. NMC said that at the meeting the HLA representatives should ask whether HfH was going to help HLA to achieve re-recognition in autumn 2012. It would not be acceptable if they said that HLA could not re-apply in the present financial year. The HLA representatives should also ask HfH to help by including HLA proposals for constitutional changes and a GM notice with HfH communications to leaseholders at large. Another key issue was whether HLA had a right to appeal against the refusal by HfH to recognise the Association.

NMC pointed out that, subject to legal advice, HLA might be able to sue HfH in the Small Claims Court for the cost of the licence for a prepaid envelope facility. At HLA's meeting on 27 January with HfH, HfH had agreed to allow HLA to piggy-back its AGM notices, and had agreed in principle, subject to approving the wording, to HLA incorporating a survey to leaseholders. HLA had paid for the return envelopes and the licence fee. David Sherrington of HfH subsequently refused permission to a survey and changed the wording of the notice of the meeting, including removing a couple of items from the agenda.

Proposed Legal Action

HLA Website

NMC was authorised to incur expenditure of up to £75 to consult HLA's website adviser on how he could obtain access to the control panel and upload documents, as well as to ensure that emails for the HLA Chair sent to the website were forwarded to PG.

The meeting closed at 11.30pm with a vote of thanks to Kate and Tony Worley for their hospitality.