

## **Haringey Leaseholders' Association**

### **Committee Meeting**

**Meeting held on Wednesday 18 May 2016 at Wood Green Social Club, Stuart Crescent, N22**

In attendance

**Committee:**

Sue Brown, Vice-Chair (SB) in the Chair

Michael Blasebalk (MB)

Nick Martin-Clark, Treasurer (NMC)

Peter Gilbert, Secretary (PG)

Grace Lungu (GL) from the start of the discussion on Leasehold Panel matters to the end of the item relating to Catherine Hardy-Smith

Yvonne Campbell (YC) from towards the end of the discussion on Leasehold Panel matters to the end of the meeting

The meeting was opened at 7.16pm

**Welcome**

SB welcomed everybody to the meeting.

**Apologies**

Apologies were received from Lloyd Grandson, Chair, and Clare Richards.

**Homes for Haringey Company Secretary**

PG was asked to find out from HfH who had been appointed as Company Secretary in succession to Charlotte Currie, who had left HfH in the past week or so.

**Communication with HLA Members**

NMC said that when he saw HLA's solicitor in the next few days he would explain that, as the Committee needed to be able to communicate urgently with leaseholders from time to time, it was not always possible to refer every matter to the solicitor for his advice on what could or could not be disclosed in newsletters and on the website.

**Minutes**

The minutes of the Committee meeting held on Wednesday 16 March 2016, which had been circulated to Committee members, were read at the meeting and were approved.

**Matters arising**

- **Bank Account Signatory**

NMC reported that when LG returned from holiday in early June he would contact him to arrange for him to complete the signatory forms.

- **Facebook Account**

It was agreed that this would be deferred to the next meeting which Clare Richards, HLA Press Officer, was available to attend. MB commented that it would be useful in helping to persuade leaseholders to attend the AGM if HLA could update them beforehand about events since the SGM on 23 May 2015. NMC said that, as had been agreed by the Chair, he would publish a newsletter under the Vice-Chair's name on the HLA website.

- **Housing and Planning Bill – approach to Catherine West, MP**

SB said that she had not yet written on behalf of HLA, pointing out the issues relevant to leaseholders in the proposed legislation, to Catherine West.

### **Treasurer's Report**

NMC reported that as at 2 May 2015 HLA's bank account had been in credit by £2,335. The Committee approved reimbursement to him of £637.62 by way of expenses which he had incurred on behalf of HLA. In addition, since the last bank statement HLA had incurred the following:

£312 renewal of the PO Box and re-direction service  
£ 36 six months use of the HLA phone number  
£ 15 for the hire of a room for the Committee meeting

He advised that the HSBC branch on Tottenham High Road where the HLA bank account was held would soon close. HSBC had suggested an alternative branch in Southgate. (The branch on Cheapside, N22, which the Vice-Chair suggested did not offer a counter service.)

### **Application for Recognition**

PG advised that, because of PC problems, he had not been in a position until earlier that month to apply to HfH for re-recognition of the HLA. It was recognised that such an application would have been academic in view of the HfH Board's decision at its meeting on 10 May to end the current arrangements for the recognition of borough-wide and/or umbrella organisations.

### **Leasehold Panel Matters**

PG outlined the content of the email sent by Nesan Thevanesan of HfH to LG on 18 March. SB explained the background to that email, including that at the meeting of the Panel on 9 December 2015 the Panel voted to discuss the Resident Involvement Agreement under Any other Business, rather than at the beginning as requested by the HLA, and then at the end Nesan Thevanesan refused to discuss it at all, saying it was a legal matter. NMC said that he had not had any reply from a leaseholder whom he had asked whether she would be willing to stand as Chair of the Panel. He said that LG was of the view that it would be inadvisable to pursue the potential removal of the Chair of the Leasehold Panel.

It was agreed that PG should email HfH to ask that the agenda of the next meeting of the Leasehold Panel include an item on the adoption by the HfH Board of the new Resident

Engagement Strategy. YC would ask HfH to advise her when the next election for the Chair of the Leasehold Panel was due.

#### **Reports by Tracie Evans, Chief Operating Officer of Haringey Council**

NMC reported on the two reports made by Tracie Evans into separate complaints made by HLA. Her report into how HfH had applied the recognition criteria had not been totally satisfactory to HLA as it had not considered what had happened when HLA had been de-recognised in 2010. However, in her covering letter she had said that the Chair of the HfH Board had agreed to mediation and would ask HfH to contact HLA with a view to arranging mediation. On 19 April, LG had pointed out that mediation should be carried out before the HfH Board next met on 10 May, when it would be due to consider a paper proposing that umbrella groups should not be granted recognition in future. HfH had not replied, but when NMC had attended the Board meeting he had had a conversation with the Board Chair in which he had reminded the Chair that he had agreed to mediation and had to talk to HLA.

The second report had been into two complaints against Catherine Hardy-Smith (CH-S) who had been HfH Company Secretary up to the end of April 2016. NMC outlined the background for Committee members who had not been involved in the detailed discussions. One of the complaints had been into how CH-S had carried out her role as Resident Scrutiny Panel champion and had acted as an intermediary between the RSP and officers of HfH. Normally, the RSP investigated matters and produced recommendations, but in the one case of the RSP's investigation of complaints against HLA, the HfH Board Chair had insisted personally that the recommendations be removed. HLA contended that he had no right to do so. HLA had raised this with CH-S, who had said that the Chair had been given delegated authority by the HfH Board. HLA contended that the Chair's delegated authority had not included authority to tinker with the process of the RSP in preparing its report.

NMC went on to explain that, although the judge had upheld several aspects of HLA's case, including that leaseholders had the right to make a claim for a Judicial Review, he had concluded that the best outcome that HLA could have had from a full hearing was a declaration that HfH had mis-applied the recognition criteria. He had decided that the matter was now academic as HLA's recognition had lapsed and that there was no point in granting the application for a full hearing.

NMC said that further to the action for Judicial Review a Press report had highlighted the Judge's criticism of the HfH Board Chair as high-handed and arrogant, and that he had disregarded procedure.

#### **Possible Legal Action against XXXX**

#### **FoI Requests**

PG reported on the replies he had received on 24 and 29 March to his FoI request dated 24 February for information in regard to various matters, including the availability of RSP minutes, discussions between HLA and HfH in 2012 regarding the HLA's application for recognition and its unconditional approval by HfH, whether there was any recent correspondence concerning the Association of Tenant Representatives, and the draft new Management Agreement between HfH and Haringey Council.

## **Forensic Accountant's Report**

PG said that, in view of accusations in the RSP report that HLA had misused public funds, for which SB had been blamed and which had led to her being removed from the HfH Board's Risk and Audit Committee as well as from the RSP, it had recently been agreed in consultation with HLA's solicitors to obtain a report from forensic accountants on the HLA's financial activities for the three financial years from 1 April 2011 to 31 March 2014 inclusive. The report, dated 25 April 2016, concluded by stating that in the accountant's view HLA carried out suitable and reasonable financial processes for the size and complexity of the organisation and that his examination of the financial statements had shown that HLA was unlikely to have been involved during the three years examined in any form of financial impropriety. LG had forwarded the report to the HfH Board for inclusion in the papers for the Board meeting on 10 May.

## **HfH Board Meeting 10 May 2016**

NMC said that the Chair had opened the Board meeting by referring to the forensic accountant's report. He had said that it was a shame that it had taken so long to obtain and, if the report was true, the HLA had no financial case to answer. The Chair had said that he was considering a letter to the papers offering the HLA an apology, but he might meet some resistance to that from members of HfH's executive team.

The Board had approved the new Resident Engagement Scheme, which seemed largely to rely on people communicating with HfH on line. HfH would not recognise umbrella groups in future, but would classify three categories of leaseholders, those who were landlords of other properties than the one in which they lived, those living in street properties and those in estates which also had some tenant residents. MB commented that focus groups were not representative.

The Board had simply nodded through the decision to get rid of recognition arrangements for umbrella groups.

HLA would now ask for a Judicial Review of the decision to get rid of recognition arrangements for borough-wide umbrella groups and for a JR of whether the regulator, the Homes and Communities Agency, should grant HfH a new contract with Haringey Council.

It was agreed to include MB and YC in the copies of emails which were circulated to HLA officers.

## **AGM Arrangements**

It was agreed that the AGM should be held on Saturday 25 June at Wood Green Social Club, Stuart Crescent, N22, starting at 10am. Doors would open at 9.45am for leaseholders to sign in and collect papers.

The Committee agreed to approve expenses that NMC incurred in producing and distributing a leaflet for the AGM, in arranging for an agency to remind leaseholders over the phone of the arrangements for the AGM, and in arranging a sound system for the AGM.

NMC agreed to draft a leaflet for comment by Committee members and to put up a page of information on the website outlining the action that the Committee had been taking since the EGM on 23 May 2015.

YC and MB volunteered to make telephone calls to leaseholders to advise them of the AGM. NMC said that he would give them lists of leaseholders for that purpose.

#### **Next Meeting**

It was agreed that the next Committee meeting should be held after the AGM, at a date to be determined by the new Committee.

The meeting closed at 9.45pm