

HARINGEY LEASEHOLDERS' ASSOCIATION

MINUTES OF THE COMMITTEE MEETING HELD AT 92 GLOUCESTER ROAD, N17, ON TUESDAY 20 SEPTEMBER 2011

Present

Sue Brown (Chair) (SB), Nick Martin-Clark (Treasurer) (NMC), Peter Gilbert (Secretary) (PG), Rita Batzias (Committee Member) (RB), Delsie Grandson (Committee Member) (DG), Lee Grandson (Leaseholder)

Previous Committee Meeting Minutes

The minutes of the Committee meetings held on Tuesday 15 March 2011 and Monday 22 August 2011 were confirmed and signed by the Chairman. It was noted that we still need to locate the draft minutes for the meeting held on Friday 5 November 2010 and put them to the next available Committee meeting.

Matters Arising

15 March 2011

NMC will check with the bank whether the change of signatories has been implemented. The bank is now sending statements to SB.

The website host does not wish to continue the arrangement, but although it had lasted for less than a year the Committee agreed not to seek a refund of the fee that we had paid to him.

The accidental overpayments by Scott Russell and Alena Breckova have been refunded. It was agreed that Rio Lopez-Monreal should be refunded subscriptions for 2010-11 and 2011-12. NMC has not yet refunded the overpayments listed on the schedule that Lynne Zilkha had sent him.

SB had submitted a complaint that HfH was flouting its own recognition criteria.

The HLCCG had not granted the petition to hold a SGM and we had written to them about this.

22 August 2011

SB's complaint had been rejected by H for H without them reading it and would now have to be sent to the Ombudsman.

Committee members had met Joe Boake and Jackie Thomas on 24 August to consider the points that HfH had raised about the HLA constitution, had reached agreement with them on a number of the issues, and had forwarded our comments on Joe's notes to HfH.

Complaint to HfH

SB advised that Paul Bridge had refused to investigate the HLA's revised complaint and that she had replied to him by e-mail. SB read Mr Bridge's letter of 19 September and her reply of 20 September, which the Committee ratified. She had received the email address for LBH's team responsible for monitoring HfH, the Urban Environment Team, to which HLA would complain about HfH maladministration.

SB added that she would send the Ombudsman HLA's complaint that week, and that we would wait until the Ombudsman had completed that investigation before we submitted NMC's complaint to his office.

Progress on Recognition

SB advised that Jackie Thomas had emailed her to say that she intended to discuss the process of recognition with the new Chairman at the HfH Board AGM on Monday 26 September. Minutes of earlier meetings of the Board had not referred to detailed discussions between HLCG and HfH officers.

The Committee considered a number of questions that NMC had suggested should be put to the Board at the AGM, and agreed that SB should send the following to the HfH Governance Team:

1. Was the Board informed in advance about the launch meeting of HLCG on 15 February 2011 and was this meeting in accordance with the Board's expressed preference for mediation between HLA and those individuals who went on to set up that rival group?
2. Did HfH officers act ultra vires in giving the HLCG financial and other help of a kind indistinguishable from recognition, including access to the HfH residents' database in potential breach of the Data Protection Act, at and in the run-up to that launch meeting?
3. When the Board granted HLA recognition for a year in its September 2009 meeting, did it intend that to be a calendar year or for a year in accordance with the requirement that recognition be applied for annually after each AGM? If the Board meant a calendar year, can the Board explain why it chose to override the provisions of the Umbrella Group Recognition Criteria in this instance which says that recognition expires 15 months after each AGM? In that case, why was that change of procedure not made clear at the time? If it was a calendar year, why did HfH then add on another three months? Prior to its derecognition of HLA in December 2010, was the Board informed of a potential issue of lack of jurisdiction?
4. Can the Board firstly confirm that borough-wide consultation on leaseholder umbrella recognition is not to be seen as a permanent recognition requirement but only as applying to this year? And, secondly, given the flawed nature of the consultation which has already taken place, will the Board consider reviewing this consultation requirement on the grounds that it is inappropriate to hold a divisive ballot when leaseholders are seeking unity? Can the Board also confirm that HLA or the

Leasehold Panel will be consulted about the form of any future ballot, if there is to be one?

5. HLA intends to launch an appeal against the December 2010 derecognition, to be discussed at its next General Meeting, in accordance with its right under the Umbrella Group Recognition Criteria. Those criteria mention a petition. Is a minimum number of signatories required on that petition?

(PG indicated later in the meeting that he would not be able to attend the Board AGM.)

Possible Legal Action

Following discussions by SB and NMC with Neumanns, solicitors, the Committee considered the options with regard to possible legal action. Although the HLCG's pre-condition for considering working with HLA, that neither SB nor NMC was involved in HLA in any form whatsoever, was completely unacceptable, it was open to anyone to stand for election as Chair at the next AGM, and NMC was prepared to step down immediately as Treasurer if a replacement could be found, although he would wish to stay on the Committee until an advice centre was established. If HLCG felt able to open a discussion with HLA on that basis, PG was happy to represent HLA in any such talks. It was agreed that HLA write to HLCG to suggest this, with a request for a reply by Monday 26 September.

The HLA's solicitor had advised that, in the event of HLCG not replying satisfactorily, there were two possible separate grounds for legal action. One was for an action by individual leaseholder members of HLCG in a personal capacity against the officers of the Group to try to enforce a SGM in accordance with the HLCG constitution. After discussion, SB and NMC agreed to be plaintiffs in such an action.

The other was an action by HLA against XXXX to recover at least some of the loss that she had caused to HLA.

HLA Website

NMC reported that the website had been down since early July. As Selim Buyukdogan no longer wished to administer the website and the contact who had taken over from him similarly wanted to relinquish it, he had obtained a quote from Mint Twist to construct a new site for some £2,500 and would get another two quotations.

The meeting closed at 10.15 pm.