

Haringey Leaseholders' Association Committee Meeting

Meeting held on Wednesday 3 December 2014 at 92 Gloucester Road, N17

In attendance

Committee:

Sue Brown (Chair) (SB)
Nick Martin-Clark (Treasurer) (NMC)
Peter Gilbert (Secretary) (PG)
Lloyd Grandson (LG)
Grace Lungu (GL)

Leaseholders:

Tan Ahmet (TA)
Keith McKenna (KM)

The meeting was opened by the Chair at 7.12 pm

Welcome

The Chair welcomed members to the meeting. She also welcomed KM and TA when they arrived while the minutes of the previous meeting were being considered.

Apologies

Apologies were received from Stephanie Rice.

Draft Committee Meeting Minutes

The draft minutes of the Committee Meeting held on Wednesday 15 October 2014 were circulated and read at the meeting and were unanimously agreed.

Matters arising

There were no matters arising which did not feature elsewhere on the agenda.

De-recognition of the HLA

SB explained that HLA (which had been de-recognised in 2010 and re-recognised in 2012) had now been de-recognised by the Homes for Haringey Board at the latter's meeting on Monday 20 October. After HLA's AGM in April, the Board had received a number of complaints, which she suspected had been made by a few leaseholders with personal grudges, and had asked the Resident Scrutiny Panel to investigate them. The RSP had been instructed to follow the Whistleblowers' Charter and as a result did not inform HLA of either the identity of the complainants or the exact details of the complaints. Without discussing them with the HLA, the RSP had largely believed the complaints and had reported to the Board, who had decided to de-recognise HLA without allowing HLA to appeal.

SB went on to say that, shortly after HfH had been established in 2006 as an ALMO, the Resident Involvement Agreement (RIA) had been negotiated between HfH and residents

representatives. The HfH Board had now broken the RIA and had decided to get rid of the umbrella group for leaseholders without any consultation at all with leaseholders.

SB added that the complainants had accused HLA, without justification, of financial irregularities. NMC said that the RSP had carried out a full audit and had found nothing. The RSP report had said that HLA should have had a full annual audit of its accounts rather than simply having them checked by an independent person. SB said that the RIA said only that the accounts should be checked independently, and accordingly HLA had arranged for them to be checked by an independent firm of accountants. NMC said that the RSP had found no evidence of dishonesty at all. SB added that HfH had never asked HLA to have the accounts audited in full.

SB said that HfH had said that HLA must demonstrate that it had the support of at least 60% of all leaseholders (ie some 2,700). Although this was an unreasonable requirement, HLA needed to get as many leaseholders as possible to sign its petition to HfH to hear HLA's appeal against de-recognition and to say that they wanted an umbrella group. In reply to TA, SB said that, although HLA held a number of leaseholders' email addresses on its database, the information was not particularly up-to-date.

TA said that she could approach a new leaseholder who hoped to complete his lease the following day. She added that leaseholders could sometimes feel bullied by HfH. LG commented that small specialist groups of leaseholders could be squashed by HfH.

SB explained that the criterion of demonstrating 60% support applied to all residents' associations. While it was a feasible criterion for associations in a single block or estate, it was not practical to ask an umbrella group covering the whole of Haringey to fulfil it. She went on to say that it had been nonsense to complain that the AGM in April 2014 had not been quorate, or that there had been double counting of votes.

NMC commented that HfH ignored people who complained about the ALMO, but had not ignored the complaints about HLA.

SB said that she had made HfH remove an attack on her from its website. She had now been removed from the Resident Scrutiny Panel: the only reason that had been given was that her position was untenable. She added that she and NMC would be meeting HLA's solicitor on Friday 5 December to discuss the options.

NMC said that they would discuss with the solicitor whether to forward the appeal with the signatures obtained to date to HfH, together with an email asking HfH to confirm within, say, the next week that they had received the petition and whether they would hear the appeal.

Future Leaseholder Representation

PG reported that at the Leasehold Panel meeting on Tuesday 25 November a leaseholder had asked for a report on the current position in relation to the Board's reconsideration of the way in which leaseholders should have a voice. An officer had said that consideration was ongoing and that there would be a briefing or a short report for the next meeting of the Panel (on Wednesday 28 January). HfH would let leaseholders know as soon as possible of any proposals that the Board made in the meantime.

NMC commented that it was better to have some kind of democratically elected representative group than none at all. He was concerned that HfH was adopting a divide and rule approach and would apply different rules to different categories of leaseholders. SB said that she thought that HfH was using the Resident Scrutiny Panel partly for political reasons, in order to comply with the Localities Act.

NMC added that he would be seeing David Lammy MP (for Tottenham) on Friday 5 December: however, neither Mr Lammy nor Lynne Featherstone MP (for Hornsey and Wood Green) had been particularly helpful in relation to HLA's appeal against the 2010 derecognition.

SB commented that the personal attacks on her had been a new low for HfH.

NMC said that the Leasehold Panel was run by HfH officers although the Chair of the Panel was a leaseholder, the agenda was largely controlled by officers and in practice leaseholders had little control over it. If the HfH Board decided that consulting leaseholders would largely be via specialist groupings, one wondered whether HfH would get rid of the Leasehold Panel. SB commented that the HLA Committee needed to talk to leaseholders and to show that HfH could not simply act dictatorially. HfH could not simply ignore the petition urging it to consider an appeal from HLA against derecognition.

NMC referred to a campaign carried out in 2013, when HLA had found out that according to the constitution of Homes for Haringey sub-letting leaseholders who were not resident in a leasehold property in Haringey were ineligible to stand for election to the Board or to vote in the elections for a leaseholder member to the Board. HLA had written to 1200 leaseholders and had received 110 replies, about 9% of those canvassed. SB commented that to obtain the support of 2700 leaseholders would take a lot of hard work and would be a long-term project.

Outreach

SB said that NMC had been to at least five meetings with leaseholders in different parts of Haringey since the last meeting. The leaseholders in Warwick Gardens had sent him a closely-analysed response to HfH's current cost estimates for the Decent Homes work which would be taking place on their homes.

NMC said that at least a dozen new leaseholders had signed the petition to HfH at his meetings. They had been highly motivated and he would continue doing outreach and obtaining additional signatures. To get 100-150 signatures would be an impressive result. The criterion of 60% had never been actively applied to an umbrella organisation before and was unreasonable in the context of such a group.

NMC continued that HLA's argument was that the Committee was made up of hard-working volunteers who sometimes contributed financially to the work of the Association. The difficulty had not been that the Committee was being run undemocratically, but that some other members had not been willing to work within the rules. He would be happy if someone else wanted to take over from him as long as that person was prepared to take part in the democratic process. He added that some people had been upset because the Committee was acting in accordance with HLA's constitution, and when they had complained to HfH the ALMO had intervened and had stirred things up and made the situation worse.

NMC suggested that HfH should be willing to hear HLA's appeal on the basis of the leaseholder signatures that had already been collected. HLA could possibly organise a demo at the next meeting of the Board and should write to the Board's members who were Haringey residents to explain that the decision to de-recognise HLA had been undemocratic.

NMC added that HLA wanted to deliver a service to leaseholder residents, including helping leaseholders who had received large bills for Decent Homes work. It was unfortunate that the focus had had to be on fighting HfH.

NMC drew Committee members' attention to the report to the Leader of Haringey Council dated 30 July 2013 which had set out the basis of the Decent Homes work for 2014-15 and for 2015-16, including cost estimates, and contained much other useful information. He added that as Haringey had applied for government funding for the 2014-15 schemes prior to 12 August 2013 the cost of these schemes would not be subject to automatic capping. No government funding was available towards the cost of the 2015-16 programme, which would be fully funded from the Housing Revenue account. There would not be any cap on the cost of the 2015-16 schemes and thus none of Haringey's leaseholders would benefit from it.

NMC added that the cost of the Decent Homes projects for 2015-16 in Warwick Gardens was now estimated as far higher than the original estimate, and the leaseholders were considering whether, and if so how, to challenge those estimates.

TA said that the property next door to her on Woodstock Road, N4, was occupied by two leaseholders, one of whom was a newcomer who was just completing his purchase, and a tenant. The new leaseholder had been advised that the estimated cost for simply a replacement front door for the whole property would be £30,000.

Treasurer's Report

NMC said that he was due to be reimbursed £800 for the cost of phone calls reminding leaseholders of the GM on Saturday 25 October. SB was due to be reimbursed £40 for costs that she had incurred on the mail-out prior to the AGM on 26 April. He would provide a full update to the next Committee meeting.

SB said that HLA had reminded the HfH Board that its Committee members were all volunteers who had other commitments over and above their work for HLA.

NMC said that he still had to bank a cash donation of £20 that had been made at the GM by Mrs Shaw of Ida Road.

He added that he had not touched the funds in the account in the name of the dormant limited company. Because there had been no transactions on that account, he had assumed that it had not accrued any charges for notifying Companies House that it was dormant. He had not asked the examining accountant whether HLA Ltd should be charged separately in respect of the dormant account.

SB said that she had paid the cost of the annual return for the limited company each year, except for one year when she had been ill, when the cost had been met by NMC, as it had never been paid by the unlimited Association.

PG agreed to send TA and KOØC the petition for them to collect signatures from their neighbour leaseholders. TA said that she would talk to her neighbour about the scaffolding cost in relation to his property. She added that a lot of excess new materials had been put out by the HfH contractors working on a flat next door, and some of it had been taken by the public.

Action Arising from the GM

PG reported that he had sent HLAØs comments on the consultative document on the Tottenham High Road West development to Sarah Lovell, LB of HaringeyØs Head of Regeneration, who had acknowledged receipt. He would forward those comments to AT and KOØC for information.

Consultation on Haringey Council's New Housing Strategy

PG said that he had forwarded to fellow Committee members the email from Haringey Council requesting comments by 12 December on the proposed vision, priorities and principles on the draft housing strategy that had been published on 24 October. SB agreed to have a look at the link to the draft strategy.

Competition and Markets Authority (CMA) Study into the Provision of Residential Property Services in England and Wales

PG advised that the CMAØs report was due to be published by the end of 2014. He would look out for its publication and advise Committee members. If the CMA put forward practical suggestions or recommendations that would be in leaseholdersØ interest, HLA could urge HfH to consider and adopt them.

Any other Business

(At this point, TA, KM and GL left the meeting)

- Bank Mandate

NMC reported that on Thursday 6 November he and PG had visited the bank to add PG as a signatory to the mandate.

Next Meeting

The next meeting was arranged provisionally for Wednesday 14 January 2015, starting at 7pm, at 92 Gloucester Road, N17.

The meeting closed at 9.10 pm.