

## **HARINGEY LEASEHOLDERS' ASSOCIATION**

### **MINUTES OF THE GENERAL MEETING HELD AT WOOD GREEN SOCIAL CLUB, STUART CRESCENT, N22 ON SATURDAY 17 OCTOBER 2015**

**Present:** Lloyd Grandson (Chair) [LG], Sue Brown (Vice-Chair) [SB], Peter Gilbert (Secretary) [PG], Nick Martin-Clark (Treasurer) [NMC] and a total of 26 other members of the Association

The meeting began at 10.27am

#### **1 Welcome**

The Chair welcomed leaseholders to the meeting and thanked them for attending. He commented that, by attending, leaseholders were helping the Committee to help them. He told leaseholders that since the previous General Meeting the Committee had been busy dealing with Homes for Haringey (HfH) and had had to put helping leaseholders on to the back burner. The Committee realised that things were difficult for many leaseholders. The Chair urged leaseholders to feel free to speak to Committee members if they needed any help.

#### **2 Minutes**

The minutes of the General Meeting held on Saturday 25 October 2014, which had been tabled, were approved as an accurate record by 16 votes to 0, with 2 abstentions. The remaining leaseholders present did not vote. The minutes of the Special General Meeting held on Saturday 23 May 2015, which had been tabled, were approved as an accurate record by 18 votes to 0, with no abstentions. The remaining leaseholders present did not vote.

#### **3 Guest Speaker**

Catherine West, MP for Hornsey and Wood Green, addressed the meeting. She said that since her election in May housing had been one of her top priorities. It was almost impossible for people to afford to buy properties locally as property values were so high. Only one buyer in Hornsey and Wood Green had been helped by the Help to Buy scheme. Despite the increase of rental levels in the private rented sector by 25% since 2010, standards of available accommodation had plummeted and some properties were severely overcrowded. This was a matter that she was raising continuously.

Ms West said that the Labour Party was trying to get a minimum requirement of 43% of affordable social housing into new housing developments. The Homes and Community Agency was negotiating as hard as possible with developers. It was important to elect a London Mayor in the Mayoral election in 2016 who cared about affordable housing for London and Londoners. Repairs and maintenance had to be made affordable.

She added that Housing Associations were selling high value properties off to fund the building of homes outside London, which had the effect of social cleansing. The

Mayor set out the London Plan for developers, with which London boroughs had to comply. Ms West said that she wanted proper investment in social housing.

Ms West said that she was happy to take up issues which leaseholders wished her to raise with their freeholder. She was not sure whether leaseholder rights were being protected under proposals by landlords in Muswell Hill to sell the leases. She wanted to use the discussions on the draft Housing Bill to clear up anomalies. She asked leaseholders to write to her or to David Lammy (MP for Tottenham) with any suggestions which might make life easier for them and promised to forward them to Labour's housing spokesmen.

Ms West then took questions. In reply to a leaseholder who asked whether the regeneration of Ferry Lane would result in social cleansing, she said that, for example, 49% of the new build on the regenerated Smithfield estate would be affordable, and a similar proportion was proposed for the redevelopment of Highbury and Highgate Magistrates Court. Social housing was rising up the agenda.

NMC advised that Haringey Council cabinet had recommended that Haringey extend the contract of HfH as the ALMO. HLA had written to Cllr Strickland to extend congratulations to HfH, as well as to note that the report from management consultants which Haringey Council had commissioned had commented that there was a measure of leaseholder dissatisfaction and that HfH needed to improve its engagement with leaseholders. Ms West said that she would raise that matter with the Council's Chief Executive.

SB said that she was very pleased that legal anomalies were now getting looked at. Ms West added that the National Federation of Tenants' Organisations was considering how the difficulties faced by umbrella organisations could be resolved.

LG asked how confident Ms West was that legislation would be introduced to help leaseholders in London. Ms West replied that the government was promising that the proceeds from the sale of council homes under the Right to Buy would be used to build less expensive homes. Labour was opposed to other provisions of the Housing Bill.

NMC commented that leasehold properties were not counted as social housing for the purposes of the Housing and Communities Agency. He had suggested that leasehold properties were recognised as part of the social housing structure for the purpose of the Decent Homes scheme, but the Agency had replied that it had no obligation to leaseholders, in contrast to its responsibilities to tenants. This was disappointing as it appeared to be unfair to leaseholders. Ms West suggested that HLA could incorporate this in a letter to her about the Housing Bill. It was in everybody's interest for all the organisations that believed in social housing to work together in a positive way. Bob Towersey, a leaseholder, said that a leaseholder was a tenant by another name as a lease was in effect a long-term tenancy.

Ms West said that she would be happy to write to Haringey Council in regard to the Council's policy in regard to offers to tenants of properties in regeneration areas. In reply to a leaseholder, she said that there was a standard contract between the Council and a tenant, under which a tenant for life maintained the right to an equivalent property. In other regeneration areas, tenants had either been told that they could go back or been found a suitable property elsewhere. When the

Packington Estate in Islington had been regenerated, the Council had made sure that leaseholders had legal advice. The Council needed to keep the trust of the people. She explained to another leaseholder that some people in regeneration areas who qualified for social housing were being offered only properties outside London because in view of the benefit cap they could not afford London properties.

Ms West concluded by saying that in the elections for London Mayor in 2016 housing would be a crucial issue. She added that she would relay to David Lammy the concerns of leaseholders in his constituency whose properties were in the High Road West Regeneration Area.

The Chair thanked Ms West for her address and her answers to questions from leaseholders.

#### **4 Matters Arising on the Minutes**

NMC said that, while the minutes of the Special General Meeting held on 23 May 2015 had been adopted without any challenge to their accuracy, the true cost of their previous legal case had been almost £100,000, expenditure that had been incurred for very good reason. Now that the minutes had been adopted, they would be issued. He acknowledged that they should be on the website and apologised for not having already posted them.

#### **5 Application for Judicial Review of the decision by the Board of Homes for Haringey to dismiss HLA's appeal against de-recognition by Homes for Haringey on 20 October 2014**

NMC brought leaseholders attending the meeting up to date with the progress of the court case which HLA was bringing against HfH. Following the authority given by the SGM on 23 May 2015, HLA's solicitors had written to HfH on 26 May and had lodged HLA's case with the court on 23 June. The judge had looked at the matter on the basis of the papers and had ruled a month ago, when he had rejected HLA's request for permission to go to a full hearing of a judicial review. HLA had the chance to ask for an oral hearing by a new judge, with HLA's barrister arguing for permission to go ahead. An oral hearing would take place on Wednesday 4 November at the Royal Courts of Justice. The exact time of the hearing and the court where it would take place would not be known until the afternoon of 3 November, when the Committee would place the details on the website.

LG confirmed that the Committee would give leaseholders as much notice as possible of the arrangements for the hearing.

NMC said that HLA was facing an uphill struggle, as only 40% of applications went to an oral hearing and only 10% of those were approved. It would not be sensible to assume that the decision would be in favour of HLA. Originally, the judge had been worried that HLA had missed the deadline to apply for a judicial review, but that was a narrow point which HLA's solicitors would be able to address. HfH's lawyers had given two other main reasons for rejecting the application for a Judicial Review:

- That leaseholders were not a public body;
- That the case was not very serious as the grant from HfH to recognised bodies was only a small sum of money.

The HLA's solicitors had to explain why there were serious issues at stake, for example that in regard to HLA HfH was not following its own rules but was acting in an arbitrary manner, and that individual leaseholders whom HLA represented were receiving big bills under the Decent Homes programme. They would also show that the HfH Board had manipulated the Resident Scrutiny Panel report. NMC commented that HLA would not be bringing the case if HfH had given HLA the right to appeal, but this had been refused. In addition, HfH had got rid of a leaseholder Board member who was renting out her leasehold property. HLA also disenfranchised non-resident leaseholders from elections for the leaseholder member of the Board. NMC added that HfH had altered the focus of the RSP's report into HLA. Whereas the original report had made even-handed recommendations into the complaints against HLA and had suggested dialogue as a way to resolve them, the final report did not contain any of the RSP's own recommendations. The HfH officers had put in their own recommendations, to remove SB from the Audit Committee and from the RSP and to de-recognise the HLA. The RSP had been asked by HfH to produce recommendations and, although that request had been ignored by the Chair of the HfH Board, HLA had pursued this point.

A leaseholder suggested that HLA take the matter to Haringey councillors and exert political pressure on HfH. SB replied that when HLA had approached Lynne Featherstone MP in regard to the original de-recognition of HLA and had said that HLA was seeking legal advice Ms Featherstone had declined to get involved.

LG advised leaseholders that in reply to HLA's invitation HfH had declined to attend the General Meeting, and apparently was not willing to talk to HLA until after the case had been dealt with on 4 November.

A leaseholder said that he would talk to the Press about several issues that he had with HfH.

NMC added that HfH had written to say that they would be willing to talk to HLA if HLA was prepared to demonstrate how it had failed in the past and that it was willing to remedy its shortcomings. The Committee had replied that HLA would like to work with HLA but would not accept any pre-conditions for a meeting. SB added that HfH had attacked her personally and that she was suing HfH in a completely separate action from the case for judicial review that HLA was bringing.

## **6 Future of Council Housing Service in Haringey**

PG reported that, following an extensive consultation exercise over many months, Haringey Council Cabinet had recommended in September to the Council that the contract for HfH to manage the council housing service as an Arms Length Management Organisation (ALMO) should be extended for 10 years from 1 April 2016. NMC said that HLA had written to congratulate HfH and say that HLA wanted to work with them.

LG commented that, whatever the result of the legal case, HLA was seeking to engage with HfH in order to maintain good communication with them and to support individual leaseholders as well as leaseholders in general.

## **7 Any other Business**

NMC urged leaseholders to complete the Standing Order subscribing to HLA and/or to make a donation towards the legal fees that were being incurred in the action for Judicial Review. Postal donations should be sent to HLA's PO Box.

There being no further business, the meeting concluded at 11.50am with a vote of thanks to the Chair.