

**TENANTS' AND LEASEHOLDERS'
CONSULTATIVE FORUM****2 MARCH 2006**

Chair: * Councillor Currie

Councillors: * Margaret Davine * Knowles
* Mary John (2)

* Denotes Member present

(2) Denotes category of Reserve Member

Tenant and Leaseholder Representatives

Representatives from the following Associations were in attendance:-

Alexandra Avenue Tenants' and Residents' Association
 Antoney's Close Tenants' and Residents' Association
 Brookside Close Tenants' and Residents' Association
 Cottessmore Tenants' and Residents' Association
 Eastcote Lane Tenants' and Residents' Association
 Harrow Federation of Tenants' and Residents' Association
 Miscellaneous Properties Residents' Association
 Woodlands Community Association

(In total, 13 representatives were in attendance.)

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Leasehold Services**

The Forum received a report of the Executive Director (Urban Living), outlining plans to revise the structure of leasehold services, and to apply a new tariff to its administration. The Forum heard that tenants, through the Housing Revenue Account (HRA), currently subsidised services provided to leasehold properties, compensating for shortfalls in funding, stemming from the existing scheme of charges. Officers suggested that the Forum recommend to Cabinet a revision in these charges in line with the proposals listed in the report.

Officers reported that service charge arrears in this area currently stood at £514,280, of which £125,933 was deemed to be 'historic' or old debt, and £93,900 of which could potentially be written off. The Forum heard that this debt was difficult to recover owing to leaseholders selling properties before disputes had been resolved, and that pursuing such debts through the judicial system was costly.

Members of the Forum expressed concern that leaseholders were not receiving invoices for works on a regular annual cycle, and that delays in this area contributed to the difficulty in collecting service charges. Supporting this, officers told the Forum that plans to retain the specialist Leasehold Services Team would mean that this would be monitored more effectively in future, and that efforts were currently underway to ensure that costs incurred were invoiced to leaseholders at the point at which the service had been provided and would include revised payment plans to ensure ability of leaseholders to pay the charges.

In response to a Member's question regarding the financial implications of writing off service charge arrears to leaseholders, the Forum was informed that the HRA budget would cover the cost. Regarding accuracy in the amount of debt to be written off, officers offered to confirm the levels to a future meeting. Concerns were also raised over the level of re-charge to tenants and leaseholders, which included contractors' costs and omitted the costs of the Council in undertaking the necessary works. Officers concurred with this, and stated that they would ensure that costs for managing and delivering the works would be re-charged.

Representatives of the Tenants' and Residents' Associations asked that they continue to be informed of scheduled works.

Resolved to RECOMMEND: (to Cabinet)

That future policy for the management of the Council's leasehold residential properties be approved and in particular that:

- (i) major works be invoiced separately;
- (ii) a separate management fee be levied against major works accounts to cover the fees in relation to all of the work carried out by the Asset Management and Design and Build Teams;
- (iii) a separate management fee for major works, to be quantified but currently envisaged to be 15%, be introduced; and
- (iv) all consultancy fees be recharged.

PART II - MINUTES

271. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Billson	Councillor Mary John

272. **Declarations of Interest:**

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business transacted at this meeting.

273. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
14. Leasehold Services	Production of the report was delayed owing to the need to include information from the 'Right to Buy and Leaseholder Management Exhibition', held on 6-7 February 2006. This exhibition contained details of local best practice relevant to the report. Members were requested to consider this item as a matter of urgency.

(2) all items be considered with the press and public present.

274. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 5 January and 18 January 2006, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume.

275. **Matters Arising from the Last Meeting:**

The Forum considered a report of the Executive Director (Urban Living), which set out progress made on issues raised at the meeting held on 5 and 18 January 2006.

Eastcote Lane Estate

A representative of Eastcote Lane Tenants' and Residents' Association reiterated concerns that they were not informed of works to remove cobbles and replace them with concrete. Officers responded that they reserved the right to conduct work on health and safety grounds without prior notice, but stated that they would endeavour to inform Associations of scheduled work in future.

Petitions

A representative stated that information provided by the Council relating to the petition regarding dangerous dogs at Jordan Close had been misleading. Having spoken with the police, the representative stated that they had been advised it was not solely a police matter. Officers responded that they were seeking a date for a Court injunction, which would be confirmed shortly. They added that they would contact petitioners with further information once they knew this date. Members requested that they also be kept informed.

Tenants' and Residents' Associations

In addition to a list of existing Tenants' and Residents' Associations (TRAs) circulated at the meeting, officers informed the Forum that they were working to develop new TRAs as documented in the report.

Representatives queried the criteria set out to qualify as a TRA, citing the small membership and limited activity of some associations. Officers responded that whilst there were currently no definite criteria for TRA qualification, they were working to establish this more concretely, and to revitalise existing TRAs.

Matters Raised by the Harrow Federation of Tenants' and Residents' Associations

It was reported that an officer from the New Harrow Project Team would be present at Estate inspections in the new Municipal Year.

Minor Estates Improvement Performance and Programme for Future Years

The Forum heard that a hedge obstructing pavements had not yet been dealt with. Officers undertook to ensure that this would be addressed.

Access to Committee Rooms

The Chair informed the Forum that he would contact the resident concerned with a response.

Grounds Maintenance

The Forum heard the following:

- that issues surrounding wheelchair access in the Woodlands area had been resolved;
- that damage to grass verges by sanitation vehicles was being investigated by the Urban Living Infrastructure Group;
- officers had been alerted to the dumping of grass in Pinner Hill;
- pilot sites for the recycling scheme for flats had been identified;
- that an Estate Liaison Officer had been sent out to inspect the site of flooding in the Cottesmore area.

Capital Programme

Members were informed that some properties in Brookside Close were to be surveyed in the next round of the condition survey. Officers stated that the properties sampled in the original survey had not been representative of the condition of all properties in the area, and that additional surveys were being arranged accordingly. Responding to a query regarding TRA involvement in the survey process, officers commented that they welcomed TRA input, but that this could not be included too early, as this would bias the survey's methodology.

The Forum also heard that whilst officers were currently experiencing problems with the readability of recent data, action was being taken to remedy this.

Options Appraisal

Officers clarified that the gap between available resources and the resources required to meet the Decent Homes Standard by 2010 was £7.185 million.

A Member queried the total cost of the project and officers agreed to respond in writing to the Member.

Matters Raised by Cottesmore Tenants' and Residents' Association

Regarding the issue of protected trees damaging a Church in the area, Officers told the Forum that they required further details from a representative of Cottesmore TRA to progress the matter.

In response to a representative's query as to the likely timescale of the trees being dealt with, officers stated that the next phase of work, including tree maintenance, was due to start in April 2006. A resident queried the delay in replying to the original complaint, a response to which was still to be received. Officers agreed to respond to the resident and the Chair with more details. Officers also agreed to look into similar complaints lodged in the Brook and Cottesmore estates.

A Member queried which budget funded works of this kind, when conducted on Health and Safety grounds. Officers responded that works were funded from the Grounds Maintenance budget.

RESOLVED: That the report be noted.

276. **Public Questions:**

RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

277. **Petitions:**

RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

278. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

279. **Internal Decorations Programme:**

The Forum received a report of the Executive Director (Urban Living), detailing the internal decorations programme, its funding and the existing internal decoration policy.

The Forum heard that owing to constraints on the budget, allocated from the HRA, the internal decorations programme was lower in priority than works considered relevant to Health and Safety or maintenance. No works under the programme were currently scheduled until 2007/8.

Members of the Forum queried the appropriateness of the policy behind the programme, which stipulated that only those over retirement age residing in a one-bedroom property would be eligible for the scheme. Residents raised concern that disabled tenants might suffer under this arrangement. Officers accepted that the policy needed adjusting, and stated that they were looking to undertake a review accordingly. A resident queried why works under the programme were fixed as a package, and did not allow for piecemeal decoration as required. Officers responded that they would examine this issue.

A Member queried the reason behind the report's claim that the programme had overspent in 2003/4. Officers told the Forum that this was because there had been a mistaken belief that surplus money from preceding years could be brought forward, but that had proved not to be the case.

RESOLVED: That the report be noted.

280. **Tenant and Leaseholder Handbooks:**

Officers presented a report of the Executive Director (Urban Living), updating the Forum on revisions to the tenant and leaseholder handbook. Originally produced in 1999, the handbook had been updated in 2003, and would now undergo further revisions to comply with legislative changes and new working practices.

Officers reported that they were amending specific sections of the handbook rather than the document as a whole, and that the new sections would be finalised by the end of March 2006, for distribution to tenants by May 2006.

A resident queried whether tenants under the Care in the Community scheme were subject to the rules of the tenant handbook, and by what method they were placed in housing. Officers responded that no Care in the Community tenants were placed by social services, as all tenants were placed through the Locata scheme. As a result, normal introductory tenancy agreements would apply. It was added that social services did not own any housing stock, but that residents with social care needs were given appropriate support.

A representative from the Resident Empowerment Working Group added that they had been consulted, and were satisfied with the revisions.

RESOLVED: That the report be noted.

281. **Leaseholder Survey Feedback:**

The Forum was presented with a report of the Executive Director (Urban Living), setting out findings gathered from the Leaseholder Satisfaction Survey, carried out in October/November 2005.

As a result of this feedback, officers commented that they were planning to investigate the establishment of a leaseholders focus group or forum, as sufficient numbers of leaseholders had expressed an interest. In addition, other action points included improving leaseholder satisfaction with final outcomes of queries, and examination of the possibility of an information newsletter, to be distributed quarterly.

RESOLVED: That the report be noted.

282. **Leasehold Services:**
(See Recommendation 1 above.)

283. **Any Other Business:**
A resident raised the issue of the Council's ability to control the buying and selling of leasehold properties, particularly in instances where leaseholders were letting properties and then buying elsewhere, particularly in view of anti-social behaviour by subsequent occupants. Officers responded that they were not in a legal position to control subsequent sales of leaseholder properties, as leaseholder agreements were connected with the ownership of a property. As a result, issues such as the behaviour of leaseholders or subsequent occupants of leasehold properties were beyond the remit of the Council. However, officers stated that they could protect the interests of tenants who were adversely affected by anti-social behaviour.

A Member pointed out existing legislation that could be brought to bear on this issue, such as the European Convention of Human Rights, as well as the Crime and Disorder Act, and urged that residents experiencing problems with anti-social behaviour report such incidents.

The issue of a window replacement letter, which had been incorrectly sent out, was brought to the Forum's attention. Of particular concern was the letter's assertion that contractors would call without appointment, and potentially conduct work without resident approval. It was added that, after pursuing the letter, residents had been informed that it was out of date, and had been sent to properties that had recently had windows reinstalled. Officers responded that the situation was unsatisfactory, and that the error had occurred during a mail merge. Letters would be sent out to those residents affected. In addition, officers stated that it was unacceptable for contractors to call without appointment, and that this assertion would be investigated.

A resident requested that TRAs be informed of all scheduled works, as there had been recent issues surrounding the safety of vulnerable residents. Officers stated that they would endeavour to ensure that TRAs were kept informed of scheduled works.

A representative of Cottesmore TRA raised concerns over the timings of works to install kitchens and windows, with the schedule of works meaning that windows would be installed later, thus disrupting the earlier installation of kitchens and necessitating further work. Officers undertook to investigate.

Members of the Forum thanked the Chair for his work in leading the Forum over the past four years. The Chair in turn thanked residents and members for their valuable contributions to the Forum, and the progress that had been made as a result.

RESOLVED: That the above be noted.

284. **Date of Next Meeting:**

RESOLVED: To note that the next meeting of the Forum was scheduled to place on 19 July 2006.

285. **Extension of the Guillotine:**
In accordance with Advisory Panel and Consultative Forum Rule 12.1 (Part 4E of the Constitution) it was

RESOLVED: At 10.00 pm to continue until 10.05 pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.05 pm)

(Signed) COUNCILLOR BOB CURRIE
Chair