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## Leasehold Panel

### Minutes of the meeting, 13 May 2009

**1. Attendance:** Ms S Patterson, Ms Lesley Ramm, L Chrysostomous, Ms Susanah Adewumi, Mrs Anne Goodhew (Vice Chair), Ms Sue Brown, (Chair of Haringey Leaseholders' Association), Ms Maureen Clement, Ms Shirley Perlman, Ms A Marangou, Mr Charles Connolly, Ms Marion Merrick, Ms Yvonne Thompson, Mr L Richards, Mrs I Rose, Miss A Scott, Ms Anne Crellin, Ms M Shaw, Mr Pinnock, Mr R Dalliday, Mr Michael Ruggins, Ms S Morgan, Mr Martin Laheen and Ms Annette Joslyn (23)

**Apologies:** Mr M Pentol, Mr Nick Martin-Clark, Ms R Batzias and Mr B Hines

**Chair:** the meeting was chaired by Mrs Anne Goodhew (Vice Chair).

**Officers:** Mr Nesan Thevanesan, Head of Home Ownership, Larry Ainsworth, Strategic Client Representative, Asset Management Department, Mike Tobin, Highways Procurement Project Manager, Haringey Council, Paul Cox, Senior Home Ownership Officer and Bruce Nicholas, Leasehold Project Officer, who took the minutes.

**2. Chairing of the Panel.** Mrs Goodhew opened the meeting by suggesting that the Panel might like to write a formal letter to Mr Martin-Clark to thank him for all the work he had undertaken in chairing the meetings since being elected in September 2007. This was agreed.

Mrs Goodhew then proposed that she should chair the current meeting, but that the chair should circulate amongst other Panel Members until new, more formal arrangements were introduced in September for the chairing of all panel meetings. This was agreed and it was also agreed that Mr Laheen should chair the next meeting.

**3. Decent homes programme - update on the progress of work-** Larry Ainsworth, Strategic Client Representative, Asset Management Department:

Mr Ainsworth presented a short report to the Panel (please see **Appendix 1**) which had been circulated previously. Ms Crellin raised a question with regard to the distribution of the questionnaires used to ascertain residents' satisfaction. She wanted to know at what point the questionnaire was given to the resident. Mr Ainsworth said that initially the Constructor Partner had given the questionnaire to the tenant on completion of any internal work in their property, whereas leaseholders received them later when work to the building had been completed. In future the questionnaires would be given to all residents at the same time as the scaffolding was removed from the outside of the building.

Some Panel Members said that it appeared that tenants and leaseholders were in receipt of different types of questionnaires. Mr Ainsworth replied that Constructor Partners sometimes used different forms to meet their own requirements, but that the official statistics were all compiled from information provided in the standard questionnaire. Panel Members stressed that it was very important that the statistics for leaseholders' responses were not combined with those from tenants since their views were often very different.

Mr Thevanesan advised the Panel that there would be a separate questionnaire (drawn up by the Home Ownership Team) which would be sent to all leaseholders enclosed with their final bills for the work.

❖ **Action point 1:** Mr Thevanesan said that he would provide the Panel with a draft copy of this questionnaire in time for the next meeting in order to obtain their comments.

Ms Brown noted the fact that the replacement of the communal TV aerials required under digital conversion would be included as part of the Decent Homes work, where other work had been programmed. She expressed the view that it was not appropriate for it to be funded as part of this programme. Mr Ainsworth responded that digital conversion work would only take place under the Decent Homes Programme where scaffolding was required. Some work would take place under the planned preventative maintenance (PPM) programme.

With regard to the anticipated cost of digital conversion in Barnet, Ms Crellin stated that it appeared the estimated costs which had been quoted by contractors were much lower than those experienced in the Borough of Barnet to date. She agreed to provide Panel Members with some more information on this subject. One leaseholder expressed the view that if Haringey's charges remained at their current level, a case should be taken to the Leasehold Valuation Tribunal to challenge them on the grounds of reasonableness.

On behalf of the meeting Mrs Goodhew thanked Mr Ainsworth for his interesting talk.

**4. Highways maintenance and street lighting proposed long term agreements – Mike Tobin, Highways Procurement Project Manager, Haringey Council:**

Mr Tobin provided the Panel with some information (please see **Appendix 2**). He explained that the contract was intended to facilitate any work which the Council or Homes for Haringey required to undertake in the borough. The proposed agreement should generally provide the cheapest option, but it was always open to the Council to make alternative arrangements if necessary. The main reason for the contract was in relation to the Council's responsibilities regarding the lighting and maintenance of streets and highways in the borough. However it was expected that the economies of scale made possible by a large contract of this nature could be extended to this type of work on housing estates.

Seven contractors had been invited to tender and two had later withdrawn. The prices submitted by the companies bidding for the contract had reflected the current depressed economic climate. The contract had been approved at Council Cabinet level on the basis that final approval could only be given following the statutory consultation period with leaseholders. New key performance indicators had been drawn up which would make it easier to monitor service delivery issues in future. Although the contract could run to 8 years, it would be conditional on the outcome of a thoroughgoing review in the fifth year.

Ms Brown said she had heard that the Council had a general policy of replacing all the existing street lighting by 2010. She raised the question as to what the criteria were for deciding whether replacement work was necessary, for instance with regard to estate lighting. Mr Tobin responded that the policies as to what work was required were decided separately and were outside the scope of this contract. The setting up of the long term agreement simply provided a means to Homes for Haringey (and the Council) for carrying out any work identified as being necessary.

In answer to a question, Mr Tobin said that the Council always uses energy saving lighting units in all its installations. Its policies are to follow sustainability good practice on all these matters. Remote monitoring assists in the early detection of expired lighting units needing replacement. With regard to the cost of administration involved in re-

tendering, Mr Tobin assured the Panel that none of this would be recharged to leaseholders.

Ms Marangou referred to the fact that freeholders on council estates did not receive any charges for estate costs. Mr Thevanesan agreed that this was correct for freehold properties sold under the Right to Buy hitherto, but the policy had now been changed in respect of all future sales. The calculation of estate charges to leaseholders however was not affected whether freeholders were charged or not, since the apportionment was on the basis of all dwelling units in the estate.

A question was asked about penalty clauses for poor performance. Mr Tobin said that penalty clauses did not exist as such. The contractor was always obliged to rectify any faults as soon as possible, at their own expense.

On behalf of the meeting Mrs Goodhew thanked Mr Tobin for his interesting talk.

## **5. Minutes of the last meetings – 20 April 2009 - Matters arising**

### A) Periodic borough wide surveys of tenants and leaseholders:

Mr Simon Godfrey, Manager, Resident Involvement and Equalities sent a note to advise the Panel that no report comparing the results for tenants and leaseholders had yet been prepared. Mr Thevanesan said that BMG would be asked to ascertain the possibility of preparing a report giving comparisons of the results with other boroughs (benchmarking results). He reported that a query had been raised with BMG regarding this matter.

- ❖ **Action point 2:** Mr Thevanesan said he would report back to the next meeting on the question of the preparation of a benchmarking report providing comparisons with other boroughs on the BMG survey results in each borough.

B) Decent homes satisfaction surveys: Catherine O'Reilly, Resident Involvement Officer, Major Works, provided information in relation to the following questions which had been raised by the Panel at the last meeting.

- i. The Panel had asked why the questionnaires were being distributed by the contractors who carried out the work. Ms O'Reilly responded that the contractors have to carry out a satisfaction survey for their own purposes. It had been agreed that HfH would draft a single form to be used by both HfH and the partners and this is now commonly used by other authorities in partnering contracts. Each Partner

has now to complete a log of all forms distributed and returned. This will be audited by HFH.

- ii. The Panel had asked how the statistics for resident satisfaction were being compiled from the questionnaire results. The constructors have compiled the figures from the forms which have been returned. HfH would be carrying out an audit within the next month on the returns.
- iii. The Panel expressed the view that the satisfaction results for leaseholders and tenants should always be shown separately. Ms O'Reilly advised that they would be shown separately for all results relating to the period from 1 April 2009.
- iv. The Panel felt that the results should put more emphasis on the quality of the end result – value for money issues. Ms O'Reilly indicated in her response that the resident satisfaction key performance indicators had been agreed by a sub group of staff, residents and partners before the contract started and these had been approved by the Strategic Core Group.

C) Review of arrangements for the chairing of panels, etc: Mr Thevanesan reported that Ms Sheryl Hendrickson, Senior Resident Involvement Officer had convened a group to review the terms of reference and the code of conduct for all panels. It would be a working party of the Tenants Participation Panel. Martin Laheen and Sue Brown had been selected as the leaseholders on it. It would cover the roles and responsibilities of panel members, chairs and officers. It was intended that the review would take place during one session of the working group on Thursday the 21 May. The recommendations would then be circulated to other panels and would go afterwards to the Residents Consultative Forum.

D) Top ten residents' key performance indicators: Following her talk to the last meeting of the Panel, Ms Joy Walton, Performance and Business Planning Manager agreed to provide a copy of the full list of KPIs for Panel Members' information. Ms Walton sent her apologies for the delay and said some further work had to be carried out on the indicator suite. It was expected that it would be completed by the end of the month.

- ❖ **Action point 3:** The Panel asked that the list of KPIs should be circulated as soon as possible.

E) Charge on property with respect to three years interest-free loans for major works: At the last meeting Panel Members had queried the proposal for charges on the properties for interest-free loans over £5000 (incurring a fee of £250). Mr Thevanesan reported that in

view of the concern expressed by the Panel, charges would now only be placed on properties for loans over £10,000, which would affect relatively few leaseholders. Charges on properties were necessary to protect large loan amounts and help reduce the costs of legal recovery, which would otherwise have to be borne by all leaseholders.

F) Meeting to consider the BMG survey results: Mr Thevanesan reported that a presentation would be made at 1.30pm on Friday the 22 May by Natasha Kendall from BMG covering the main points arising from their report. The purpose of the meeting was to decide on the best ways of addressing the main areas of concern which had been expressed by leaseholders as identified in the report. Colleagues from other departments, including key service providers would also attend to provide their input. The Panel's representatives were agreed as being Annette Joslyn and Martin Laheen. Ms Brown said that the action plan arising from the meeting should also be presented to the Panel for their input.

G) Report on digital conversion: The Panel requested that they should receive a copy of the report to the Board so as to be able to put their case to the Board in time for its meeting on the 19<sup>th</sup> May. Mrs Goodhew undertook to put this request to Homes for Haringey as a matter of urgency. Mrs Goodhew reported that she had been informed that the report could not be released at present.

The minutes of the last meeting of the Panel were agreed as a true record.

#### **6. Key leaseholder scheme – Paul Cox, Senior Home Ownership Officer:**

Mr Cox explained that the Home Ownership Team was planning to set up a scheme similar to several other boroughs, such as Westminster (CityWest). Under the scheme leaseholders would be asked to volunteer to represent blocks and estates. As the local representative they would receive lists of day to day repairs on a quarterly basis to check for discrepancies. They would also act as a point of contact locally for leaseholders, if it was considered that a clearly identifiable problem had arisen. The scheme would focus initially on day-to-day repairs but would probably be expanded later to include major works invoices.

Mr Cox said that volunteers were required to serve on a working party which would advise on the drafting of the terms of reference, duties and responsibilities and framework for the scheme. Mr Laheen and Ms Brown agreed to be nominated. The working group would start its meetings in June/July with the aim of finalising the procedure by mid-September. It was planned that the key leaseholder scheme should be launched in October this year. Quarterly repairs reports would then start being sent to local key leaseholders.

Mr Connolly asked how the scheme would be funded. Mr Thevanesan responded that no additional funding had been agreed for the scheme since it was not expected it would require significant additional administration. Furthermore it was anticipated that it could give rise to some savings in respect of the reduction in the amount of queries in relation to repairs invoices.

### **7. Motion concerning Digital TV Conversion – proposed from the Chair.**

Mrs Goodhew circulated the motion (**enclosed**) and asked for any comments or suggestions to be sent to her by the weekend by post or email (she provided her address). Following this she would write to Homes for Haringey, the Board and the Council enclosing a copy of the motion. The Panel agreed that the motion represented their views and ratified Mrs Goodhew's proposal.

### **8. Any other business**

- a. Publication of the booklets, *Install your own windows and doors* and the *Plain English guide to your lease*: Following a proposal from Mr Thevanesan it was agreed to print a limited number of copies of these booklets for despatch on request.
- b. Discounts for garages: Mr Dalliday reported that he had been advised that pensioners were eligible for discounts on council garages but not if they were leaseholders. Mrs Goodhew advised that Sharon Morgan was investigating the matter following a query raised by Ms Brown as Chair of the HLA.
  - ❖ **Action point 4**: It was agreed to obtain more information about the Council's policy in respect of discounts on garages to pensioners.
- c. Homes Zone: Mr Thevanesan said he would welcome any suggestions for articles, frequently asked questions, etc.
- d. A short report on HfH policy on scaffolding (please see **Appendix 3**) from Michael Bester, Major Works Lead Officer was noted.

Owing to lack of time a report from the sublet group and forward agenda proposals were deferred to the next meeting.



## Appendix 1 to the Minutes of the Leasehold Panel – 13 May 2009

### Decent Homes Programme: Year 1

Year 1 of the Decent Homes programme has been a great success. The outturn position is detailed below at Table 1.

Decent Homes	Hornsey	Wood Green	South Tottenham	North Tottenham
Number of units with work in progress	5	146	107	0
Number of units with works complete	184	265	491	470
Resident satisfaction figures %	94	97	100	98
Progress update	on programme	on programme	on programme	on programme

As at the end of March 2009, 1,555 tenanted units have been brought up to the Decent Homes standard (note that this includes 145 Refusals/no access cases). In addition, works have been carried out to 367 leasehold units. This equates to 99% against the profiled target.

Resident satisfaction surveys are completed and analysed during each phase of the programme. Resident satisfaction with the work to date is running at an average of 97%.

The total cost of the 36 work packages in Year 1 is £34m in total; with a profiled spend of £29.5m in 2008/9. Actual spend achieved is £29m.

**Table 2 No Access and Refusals**

<b>Constructor</b>	<b>Area</b>	<b>Refusals</b>	<b>No Access</b>
Apollo	South Tottenham	16	15
Lovell	North Tottenham	42	31
Wates	Hornsey	2	14
Mulalley	Wood Green	23	2
<b>Totals</b>		<b>83</b>	<b>62</b>

We have dedicated staff working in Asset Management to manage access and refusal cases and this will be an area we will be focussing our efforts on in the coming year. Appropriate legal action will be instigated on the basis of breach of tenancy in all cases, where access is refused.

### **Years 2-5 Programme**

The Year 2 programme is on site and we anticipate completing works to approximately 2,623 tenanted and 601 leasehold units.

We have been advised by the Homes and Communities Agency that they have passed our acceptance of the bid to bring forward £6.5m of Decent Homes funding from 2010/11 to 2009/10 to CLG, who will be making an announcement in May. This would enable us to bring forward works to 991 units.

The construction related jobs fair held on 24<sup>th</sup> April 2009 was a huge success with over 400 registered attendees. The objective was to increase awareness of construction jobs in the Borough and maximise the benefit from major investment projects, led by the Decent Homes programme and Building Schools for the future. With over 20 exhibitors including our constructor partners

We are also organising the Decent Homes end of Year event on 6<sup>th</sup> June 2009. The event will provide the opportunity for residents, Homes for Haringey and the constructor partners/compliance teams to reflect on the delivery of Year 1. From this, Homes for Haringey will consider the lessons learnt, what changes need to be made, and what new or further measures can be taken to ensure resident satisfaction.

### **Environmental Programme**

The CLG Decent Homes funding allocation includes £11.4m for sustainability, including environmental improvements. In addition, for 2008/9, the Council provided a capital receipt of £2m.

The 2009/10 programme with a proposed budget of £1.5m will be funded from the abovementioned Decent Homes allocation. Schemes have been commissioned and are currently at feasibility stage.

Design and Engineering have been commissioned to survey all 90 estates across the borough in line with the agreed brief. This will include consultation with Tenancy Management, Estate Services and residents. The surveys are scheduled to complete by early autumn, and this will form the works programme for future years.

### **Planned, Preventative Maintenance**

The Planned Preventative Maintenance programme completed at the end of March. In addition, work was completed to 346 units included as part of the Decent Homes programme.

**Table 3: Planned Preventative Maintenance Programme 2008/09**

<b>AREA</b>	<b>Total</b>
<b>Hornsey</b>	75
<b>Wood Green</b>	185
<b>North Tottenham</b>	113
<b>South Tottenham</b>	163
<b>Totals</b>	536

**Larry Ainsworth, Strategic Client Representative**



## Appendix 2 to the Minutes of the Leasehold Panel – 13 May 2009

### Highways and Street Lighting 2009-2013: Award of Contracts

The Council has put out to Tender two separate Contract Lots for Highways and Street Lighting. The new Contracts are significantly different from the existing ones making performance criteria central with new Key Performance Indicators for the Contract based on:

- o Quality of Workmanship
- o Safety
- o Consideration to the Public
- o Delivery within Time Requirements
- o Innovation and Sustainability

These will be used in deciding whether to award work not exclusively included in this contract and in awarding any extensions beyond the first four years. These same criteria have been used as part of the evaluation of the quality of the tenderers.

The new Contracts also emphasise the need to develop enhanced sustainability requirements. This includes the requirement to develop a Sustainability Action Plan for the Contractors delivery of the service to ensure that it uses working methods, equipment and materials that will improve the sustainability of delivering the contract requirements, with particular emphasis on the following sustainability objectives:

- a. increased recycled content
- b. reduced transport distances
- c. whole life cost considerations
- d. reduced energy use and CO2 emissions
- e. waste reduction
- f. reducing impact on the community i.e. noise & disruption

Other benefits of the new contract include:

- Requirement to register under the Considerate Constructor Scheme

- Opportunity for the Contractor to have one staff member co-located in the Council offices for each Lot.
- The Quality Plans submitted as part of the Tender process describe how the Contractor will ensure the delivery of services to the highest standards. These will form part of the Contract Documents and as such the Contractor will be bound to comply with their terms in full.

The full procurement process undertaken has been based on criteria that were decided prior to the tenders being sent out. The award of contract recommendations are based on evaluation against these criteria and as an outcome of a competitive tendering process. The process has been undertaken properly and separately checked by others to ensure compliance with the agreed process.

The contract period is four years (contract period July 2009 to June 2013) with a possible extension of up to four years. The scope of the contract includes (on a non exclusive basis) work off Highway and work over £0.5M in value.

Various other Council Departments and Homes for Haringey were invited to input into the contract. The scope of the work was widened considerably and two separate Section 20 notices (one for each Lot) were sent to all leaseholders in September 2008. A further two Section 20 notices have now been sent out. And the award of contract will be subject to the consultation feedback.

It is proposed to award each of the contracts for Highways and Street Lighting to VolkerHighways Crowley, who are the current Highways Contractor. Their rates are such that there have been reductions in some items and the rates will be virtually the same as prices they have held for the past two years. This will mean no increase this year on current budget estimate prices.

**Mike Tobin, Highways Procurement Project Manager, Haringey Council**



## **Appendix 3 to the Minutes of the Leasehold Panel – 13 May 2009**

### **Policy for removal of scaffolding**

(Leasehold Panel 13 May 09)

A complaint was made to Cllr. John Bevan, Cabinet Member for Housing about the length of time it takes for scaffolding to be dismantled and removed (at a recent meeting of Haringey Leaseholders' Association).

In general terms the policy is to take scaffolding down as soon as the works is completed. Furthermore once the work to a block has been completed and signed off, any additional hire over and above the contract period will be included in the agreed contract period unless additional works have been instructed by HfH. Thus as a general rule any period longer than that in the original contract which incurs additional hire charges, will be covered by the contractor, and not recharged to leaseholders.

Cllr. Bevan requested some information on this subject about projects across the borough with estimated times when the scaffolding will come down. These are given below.

#### **Apollo Property Services Group (South Tottenham)**

ST8 Baker & Miller House:

Will be dismantled down to walkway level on 16/04/09.

All scaffold removed by 01/05/09.

ST7 Leebank View:

Start dismantling on 22/04/09.

ST10a:

Erecting scaffold to 2-240 to enable re-roofing & window replacement.

Erecting in phase's & it will be struck as works are completed.

Overall completion date is 21/09/09.

Other new packages are due to commence in May.

### **Wates Living Space (Hornsey)**

The only block with scaffold on the 9 April was Carlton Lodge and that was dismantled and removed by the end of April weeks.

### **Lovell Partnership (North Tottenham)**

All blocks that currently have scaffold on the 9 April 09:

	Erected	projected completion
1-35 Reed Road	2/3/09	3/7/09
37-111 Reed Road	13/3/09	17/7/09
2-36 Reed Road	31/3/09	3/7/09
1-39 Bennetts Close	31/3/09	28/8/08

Work to commence on 1-24 Woodmead on the 20th April and on the 3 blocks on Northumberland Park in May.

**Michael Bester, Major Works Lead Officer**

Motion for 13/05/09 re: HfH TV aerials digital conversion as relating to Leaseholders.

For the attention of : Paul Bridge (Chief Executive), Michael Jones (Chair of the HfH Board), Cllr Claire Kober (Leader of the Council), Cllr Robert Gorrie (Leader of the Opposition), Cllr John Bevan (Cabinet Member for Housing).

The Leasehold Panel wishes to draw your attention to the issues below.

1. The Council is legally required to supply digital TV to its tenants through the provision of new integrated reception systems (IRS).
2. HfH proposes that leaseholders should pay towards the cost of IRS in spite of the fact that many are already receiving the same or a better service at a much lower cost. Central government is now advertising Freesat with a one-off fee of £150.
3. Leaseholders have been quoted figures from £350 to over £700. We are seeking a change of policy and, should that occur, charges already levied should be reviewed.
4. The above does not include the annual maintenance charge which could be significant.
5. Leaseholders are not being given the freedom to choose whether or not to have this service. Other authorities e.g. Islington have allowed leaseholders to opt out. The service being considered (not under DHP) is considering specifically the needs of H4H tenants who are not leaseholders.
6. The excuse for the digital conversion being included under the DHP is that the scaffolding can be used. This should decrease the costs but this does not appear to be the case. There are instances when the digital conversion has taken place after the removal of the scaffolding.

As a legally constituted HfH Panel we deplore the lack of resident involvement in a matter which could seriously affect the service charges levied upon us and, consequently, our wellbeing and willingness to work together with the Board to improve the general standing of HfH.

We acknowledge that there have been positive developments in our relationship with the Board and wish to express our disappointment in this failure to properly consult us.

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