

Leaseholders Action Group

Minutes of Committee Meeting

10th June, 2019, at 6.30pm at Tyson Place

Present: Committee members David Spafford (Chair), Peter Boakes, David Croydon, Graham Dawes, Jane Thorp, Tony Worsfold, Rosemary Johnson (minutes), and 13 other LAG members as observers;

From B&HCC: Martin Reid, Glyn Huelin, Gary Gurr, Mo Lawless, David Canham, Francesca Hodgson, Keely McDonald.

Apologies: Keith Marston.

1. MINUTES OF PREVIOUS MEETINGS

Minutes of committee meeting 27th February, 2019, AGREED as accurate record (resolves Action B9).

Minutes of committee meeting 27th April, 2019, AGREED as accurate record.

2. MATTERS ARISING AND FOLLOW-UP ON ACTION POINTS

Some covered later in meeting; rest carried forward. The following relate to organisation of the 10th June meeting so presumed complete or overtaken by events: B1, B2, B5 (book meeting room, invitations to local residents, councillors, Larissa/speakers).

The follow are carried forward:

B3: suggest/advise availability for future meeting dates;

B4: agree standard agenda;

B6: DS to contact LR with the suggestion she meet with 2 or 3 of the committee to hear what she is not being told;

B7: supply minutes of task-and-finish group about new works/maintenance arrangements;

B8: DS to talk to LR about Resource Centre support.

B10: KM to circulate the address of FB page.

B11: RFJ would write up the AGM in a journalistic report style (rather than minutes, but longer than Homing In copy limit) to be posted on the FB page.

B12: DJC to contact LR to ask what the "social values" cover and what the extra cost is.

B13: RFJ to coordinate comments on council's AGM minutes; ALL to email their comments to RFJ.

B14: RFJ to contact Barry (HI Editor)

B15: RFJ to contact Gary Gurr about situation on leaseholder survey; also to welcome him to his new job and look forward to seeing him at a meeting.

7. NEW B&HCC COMPUTER SYSTEM (item taken at this point)

Mo Lawless presented progress on this topic, with a handout on the implementation phases.

BHCC are buying a new housing computer system, as the old one is over 20 years old and no longer does all they need. The new system has been purchased from Northgate Housing, and is at the early stages of implementation. It needs testing to ensure it is fit for purpose.

The plan is to have everything for service charges in one system, and not need to exchange info between 2 systems. There will be access to a housing portal for leaseholders (currently only council tenants have this), to report repairs, etc. There is a long-term project to ensure the data held is all correct and up to date, hence letters recently sent out to leaseholders asking for changes in/extra details.

There will be warranties - intention is to get planned maintenance into the system; BHCC want as much info as possible on properties.

Q: Why is this so difficult, as every council must need such a system?

A: We want it tailored to us exactly, need to reassure ourselves it's set up for us.

Q: This comes from a software house whose aim is profit; what flexibility is there to modify the system in future?

A: We've got to go through the software house as per the contract. We can make new reports on the existing data.

Q: All systems need updating, what if the software house stops upkeep? How long are we tied in for?

A: 5 years, with an option of a further 2 years; guaranteed 2 updates a year. The software house must keep the system in line with changes in legislation.

Q: How well will it do asset management?

A: Currently not, that's in APEX, for which the contract runs out in 2 years, with a 1 year extension. We want to link up with APEX, or it's successor.

MR: It's a big risk to change both systems at once, so we've added a year onto APEX, then will renew Asset Management.

GH: Repairs will be in the Housing Management system, should then update the Asset Management info on properties. £1.25 million is for the HM System only.

Q: How do you put in repairs when there's no contact with the assets to be repaired?

A: Only by what is entered as free text. But you can type in your fault reports and see other people's text reporting faults, and planned repairs, just not link to actual assets.

PB: We want a leaseholder involved in the testing. AGREED.

3. LEASEHOLDER COMMUNICATIONS

DS stated: "Market engagement with the new contract seems to be a bit thin", regarding the Mears replacement.

4. ROUND ROBIN

4.1 A leaseholder from Kingswood Flats: she and some neighbours had been receiving letters from Leasehold Solutions about lease extension.

GG: this is a private company, trying to drum up business. BHCC advise caution; there is a formal process to go through to negotiate a lease extension. Accepted that a "short" lease can be a problem when trying to sell a flat, so extension can become necessary.

ACTION C1: GG to provide information on this subject for circulation.

DC: always get independent advice on this as other legal matters. He recommends contacting Shula Rich. <https://www.leaseadvice.org/about-lease-advice/>

Q: don't all the council's leases stipulate a common end date for all leases in each block?

A: new leases are all set up that way, but if one leaseholder extends, this knocks them out of sync.

4.2 A leaseholder from Burstead Close (next to Mimosa): they had been notified there was an imminent s20 notice about a new roof and windows - but there were no problems with either! Cost would be about £120,000-130,000 between 8 flats; said they will "do roof as well while doing windows".

MR: BHCC had done a survey, intended to get an independent survey as had changed "repair" to "replace", and probably another one on the windows. There are 8 blocks, to be determined whether they need to do them all. BHCC will pay for an independent, RICS-qualified surveyor, and not recharge leaseholders; leaseholders can pick the surveyor. They were not necessarily going to do the windows at the same time; could do, could not. May replace the frames only or the lot; depends on the survey.

MR: There is no plan to clad low-rise blocks.

4.3 Concerns about: when works are done, there is a lot of waste. Scaffolding may be up for 6 months before work starts. Division of costs between flats - should be equal?

Getting bill for repairing previous shoddy work is wrong - a leaseholder from Saxonbury reported that work underway to brickwork was needed because when originally done, the bricks had been put the wrong way up; how had this ever been signed off?

MR: BHCC pay a fixed price for scaffolding, regardless of how long it is up for. The leases give the split of costs between flats. He can share the info he has on Saxonbury "blown brickwork"; doesn't know who checked off works in 1950s.

ACTION C2: MR to write to all leaseholders on the estate about forward plans, and offering contact info.

JT: Could there be a template letter for early engagement?

GH: Yes, we could agree this with the committee.

ACTION C3: GH to circulate draft template letters to committee.

5. MAJOR WORKS AND CONSULTATIONS IN PROGRESS

GH presented the table "Major projects programme summary 2018/2019". The "Leaseholder cost" column is new on this report. This report is produced quarterly.

Q: what divides a major project from another?

A: typically about £15,000, but more importantly if there are different types of work being done at once.

ACTION C4: BHCC to share this report regularly with the committee, preferably circulated before the meeting.

There was some confusion about the budget columns, as annual budgets may be carried forward to (a) following year(s). Project budget may be more useful than annual.

Q: where there are several different works, if they can be spread across time, the costs may be more manageable?

GH: agreed, BHCC likely to change to this in future.

PB: why is the admin fee higher as a percentage of the work when admin work is more constant, not related to the height of the building?

GH: we are starting to look at that for the future.

Q: Why admin fees on service charge and again in works?

GH: We need to explain that more clearly.

6. POST-2020 BHCC REPAIRS AND MAJOR WORKS PROCESS

GH introduced this topic, based around 4 handouts: 6a: "Programme for future Housing repairs, planned maintenance and capital works"; 6b: "Options programme for Housing repairs, planned maintenance and capital works" about the market engagement day on 1/5/2019; 6c: ditto about the Dynamic Purchasing System; 6d: "Draft information leaflet".

JT: wants to see 1. timescales, 2. explanation of "social value", and 3. explanation of "QLTA".

Q: re document 6a, paragraph 3.29: are these s20 works? Not all will be s20s for leaseholders, sometimes the impact of works may be in the hassle involved.

PB: increasing the supply of housing by adding a storey (eg. "attic conversion") would offset leaseholders' bills for new roofs.

MR: We've looked at that, but not for that reason!

GH: Because the framework lasts over 4 years, legislation calls it a "QLTA".

JT: Where are the differences between council leaseholders and private leaseholders?

GH: There aren't any! But contract restrictions on public sector landlords are different; there may also be a VAT difference.

GG: There has been a consultation about leasehold reform, most probably won't apply to the public sector.

PB: At AGM, Larissa Reed talked about wanting local tradespeople involved. There are problems for small firms with meeting the council's hurdles; can we do something about this? It seems we can for the professionals (surveyors, etc) so what about the tradespeople? - otherwise have to go through the sub-sub-sub-contractor chain with margins at every stage.

GH: in future, we want to make some available to smaller companies - split projects by big/small value; divide into types; repairs will be in house, with council staff and local subcontractors.

Q: Managers in suits or techies on site?

GH: for now, suits; in future, repairs by council staff with qualified tradesperson supervisor.

MR: we will still have some local firms as subcontractors, we can't cover it all (as the volume is variable).

Q: If subcontracting is being used to cover peaks and troughs of demand, is this just subcontracting the zero-hours problem, if the whole industry is busy or slack at the same time?

MR: we've got to have some subcontracts, all subject to councillor scrutiny.

Q: Now we're getting rid of Mears, how much will this save you?

MR: Upfront costs will be higher, there are other benefits: more transparency, more transparent Value For Money, maintenance for the future. We have to retender every 10 years. It may be cheaper on major works, we'll have to see (we lose a layer of margin, and it's more transparent).

Q: How do you help suppliers to get on board?

A: advertising; held a market engagement day with 27 building contractors of varying sizes. Councillors want more local traders.

MR: the current 26 apprentices will be retained under TUPE [Transfer of Undertakings Protection of Employment Regulations]. There will need to be a rethink as the council can't offer them all the experience that Mears could, eg. involvement in major works. They may be put on assignment with contractors on major works; possible to join up with wider apprenticeship programme in the council (not only in construction).

Any questions on this topic can be sent to: future.repairs@brighton-hove.gov.uk or directly to Martin Reid, Glyn Huelin, David Canham or Francesca Hodgson.

ACTION C5: Fran to circulate details of leaseholder reps on the Task-and-Finish group working on the new arrangements, who can discuss issues.

8. ANY OTHER COMMITTEE BUSINESS

JT: what was "ground rules" on a draft agenda previously circulated?

A: how to hold a meeting.

JT: it was said at her Area Panel that the council can't send X to leaseholders as they haven't got info on what leaseholders want - this relates to the General Data Protection Regulations.

ACTION C6: MR/GH get this sorted, so they have a record of what leaseholders want to know about.

Q: How much has BHCC allowed for property buy-back this year, and how much per property?

A: delegated authority for up to £250,000 per property, anything higher they have to refer back. They are looking to increase that.

Q: Are there further plans for high-rise buildings?

A: Nothing at present, the programme is being reviewed.

9. NEXT MEETING

Saturday, 20th July, 2019, 10.30am to 12.30pm.

First choice of venue: Laburnum Grove community room.

If not possible, community room at Albion Hill.

ACTION C7: DS to organise room booking, and notifying committee, local leaseholders and councillors.