

## **SOUTH LAKES HOUSING TENANTS' COMMITTEE MINUTES**

10:30am Thursday 18<sup>h</sup> January 18 held in the  
Windermere Suite, Bridge Mills, Kendal

Present: Stephen Bolton (Chair)  
Charles Howarth  
John Short  
Paul Athersmith  
Dorothy Dixon  
Lorraine Birchall

Guests N/A

Staff in attendance: Lyn Richardson - Community Engagement Officer- Minutes  
John Mansergh – Assistant Director (Quality & Performance)  
Simon Hughes- Income Manager (part)

Apologies: Sue Layfield, Jim Layfield, Mavis Nelson, Wendy Orr, Kenny Mayo,  
Win Sayers, June Peckston

Circulation: As above

### **ACTION**

#### **1. Minutes of previous meeting (9<sup>th</sup> November 2017)**

1.1 One minor spelling amendment was approved. Agreed as a true record.

#### **2. Matters arising**

No matters arising

#### **3. Eviction Policy**

Simon introduced the Eviction Policy and explained that it had not been updated for a number of years and as such was no longer fit for purpose.

He explained that he now heads up a team that focuses purely on income management and getting rent in.

The key change to new tenancies is the addition of Ground 8 notices where a tenant is more than 8 weeks in arrears with their rent then the court can grant outright possession on mandatory grounds. The other main change relates to Section 21 Notices where the courts have given outright possession for starter tenancies.

Alison Kinnon and Cath Purdy are the final decision makers on an eviction and are given a synopsis of the case prior to this decision. A key principle remains that eviction would be a last resort.

When an eviction takes place the homeless team at SLDC are informed and on occasions will contact the tenant to offer support. Social Services will be informed where a vulnerable tenant is involved to ensure there is support in place.

In regard of a tenant being evicted and possessions left in the property, the possessions are still the tenants and not owned by SLH. The procedure is covered by

a Tort legal process which means reasonable efforts must be made to trace the tenant and if there is a relative, then the notice must be served to them.

Charles asked how long items can be left in the property before they are disposed of. Simon explained that under the Tort notice, which is served to the tenant by the Income Officer, it is a period of 1 month. Generally, after a period of 2 weeks from the tenant leaving, the possessions will be moved into a garage and this is when the date for disposal of items will start. Once this date has passed it is possible to dispose of the belongings or, if they are considered to hold any value, they can be sold and the proceeds used to cover the arrears.

To put this into context SLH has over 3000 properties and in the last financial year there were only 5 evictions, which is very few. A tenant has to be very negligent and non-engaging for it to reach this stage.

A question was raised regarding the recent rent statement which caused some confusion to tenants as it looked like a negative figure was being presented on the statement. Simon explained that there had been many calls about this and that in most cases tenants had a positive balance. The rent statement will be looked at again and further alterations made so that it is easier for tenants to understand.

Tenants agreed that the statement looks better and is clearer now.

Stephen asked when extra information is going to be added to the rent statement as this is something that had been highlighted as beneficial in a previous Tenants Committee meeting. Agreed that this would be looked at. SR

Simon explained that there had been consultation on moving from a 48-week rent year to 52. Out of the 3000 tenants that we have only 13 were not in favour. Due to the low number it is felt that SLH Income Officers can work with these tenants to keep to a 52 week year if this is what they choose.

#### **4. Credit Refund Policy**

There has never been a Credit Refund Policy in the past and previously money has just been given back to tenants.

It was decided that a more consistent approach was needed to support both the tenant and the Income Officer making the decision. Previously credits were refunded in their entirety on request and the policy now aims to reflect what is stated in the Tenancy Agreement.

In circumstances when the tenant is in credit by a small amount then the Income Officer will speak with the tenant about reducing their regular payments. Also before credit refunds are issued, checks will be made to see whether there are other debts with SLH or with SLDC housing benefits.

Dorothy queried how tenants would get into credit?

Simon explained that sometimes housing benefit can be over paid, or tenants pay through the rent-free weeks.

John short asked how many refunds there had been over the last year and Simon advised that it is in the teens.

Simon was thanked for his presentation and the easy to understand policies.

## 5. Cumbria Housing and Property Services performance

CH&PS is the name for our in-house team which was established as a Cost Sharing Vehicle in 2017 to undertake work on a 'cost sharing' basis for other Housing Associations after a maintenance review by Ark consultancy in 2016. It identified that the SLH maintenance team had the capacity to take on extra work. The extra work could be bringing improvement works in house, undertake work currently subcontracted, and carry out repairs and maintenance for other Housing Associations or carrying out work in the commercial sector.

The CH&Ps is a subsidiary company of SLH, we hold the majority share with 75% of shares, 10% Castles and Coasts. The remaining shares are held by SLH but are available for other Housing Associations if they join.

The governance in place includes; the Articles of Association, Members Agreement and Business Plan. The subsidiary Board includes the two Chief Executives working alongside Richard Hayes who is Managing Director of CH&PS.

There are 350 Castles and Coasts properties in our patch with CH&PS undertaking 789 repairs to date, to the value of £231,000.

At the moment there have been no negative implications for tenants and satisfaction remains high, at 93%.

Charles asked why doesn't the technology work? It has been highlighted that repairs have not always had the best IT available in terms of contracting side (e.g. productivity monitoring, invoicing) so that was being looked into. There was some discussion around the IT and how there are not currently systems in place to effectively monitor cost and effectiveness of a job. John explained that the job goes on CX, then onto the dispatch software and then onto the hand held. It is hoped to take some of these systems out by using Cloud dialogues which is 1 system rather than several.

Charles was concerned that the CX system was supposed to be the one- stop shop as previous systems had not been able to talk to each other. John explained that there was never going to be one system for the whole company which reflected the state of the Housing IT market. Overall however, the strategy is to reduce the number of different operating systems and ensuring that they talk to each other.

Dorothy asked if the extra work reflected on the services that SLH tenants have received. She gave an example of a communal light in a corridor that had not been repaired for 8 weeks. John advised that there was a recruitment advertisement underway for electricians but that he had been aware that waiting times were longer than in the past but still within target times. He added that the alternative to not increasing work via other Housing Associations, would be to reduce the personnel as it was not efficient to undertake repairs within a couple of days. John asked members to keep waiting times under review.

John explained that there had been some changes within SLH on staff terms and conditions which had an effect on some staff.

John advised that either Richard or Alistair (Repairs Operations Manager) will be invited to a future meeting to provide updates.

LR/JM

## 6. Sector Scorecard analysis

John presented the SLH Sector Scorecard which is voluntary for Housing Associations to take part in. The information is based on the pilot year 2016-17

outturns. There has been a huge sector response with 315 Housing Associations responding. Only two out of 4 Housing Associations in Cumbria participated. The main points from the scorecard are that SLH is financially strong and has excellent rent collection.

On the negative side SLH needs to do more on development. At the time of transfer there were 3,156 homes with 136 lost to Right to Buy and only 56 being built over this period, leaving SLH with 3,079 homes. This is being addressed with the future plans to develop/acquire 300 properties over the next four years thanks to the new refinancing in place.

Lorraine requested that the top banner on the Sector scorecard to be repeated on each page as it was confusing to keep turning the pages over. JM

John Short asked about Occupancy (General Needs), is the information accurate and that the indicators focuses on general needs only. John will provide a narrative on sheltered housing occupancy in future reports. LR

Charles asked if there could be a breakdown of voids for the next meeting. John advised that this information could be shared at the next meeting.

John explained that Yewbarrow is the largest concern at the moment with a number of voids. SLH have asked a consultant to look into the future of Yewbarrow and feedback on options, this will probably be going to a future Board meeting.

Charles asked why the overheads were in red on the score card. John explained that some of this reflected depreciation costs (linked to the financing required on the stock) and improvements in IT and that over time this will reduce. The development programme will help spread costs over a larger number of properties over the next few years, but other strategies were also required such as partnering with others and further efficiencies.

Dorothy asked about people exercising a Right to Buy if someone has not lived in the house for the entire tenancy. Giving the example that if you have only been in it for 2/3 years or if you move on after doing a Right to Buy. John explained there is a discount applied and that if you leave before you have completed 5 years then you do have to pay some money back to SLH.

## **7. Improvement works scrutiny group**

Paul Athersmith and Charles Howarth were happy with the dates proposed.

1<sup>st</sup> Feb (10.30-12.30), 15<sup>th</sup> Feb (11.30-1.30), 1<sup>st</sup> Mar (10.30-12.30)

June Peckston, Sue and Jim Layfield also expressed an interest but were not present. Lyn to contact and confirm dates. LR

## **8. December Board minutes**

John informed the group that a summary of the SLH Board minutes from each of the 2017/18 Board meetings is now available on the SLH website.

John S under 6.1.1 the section resolved (iii), queried the removal of 4 current Shareholders as company members due to non-attendance at 2 consecutive AGMs/ceasing to be a shareholder member. John M replied that the Board are currently reviewing the Shareholder Policy but the Board had agreed that any shareholder who has failed to attend a meeting without giving apologies for over two

years would be removed (in line with the SLH Rules). John M gave an example of shareholders failing to engage with the organisation who could then turn up and vote on an issue without any prior knowledge and affect the future of the organisation.

John M explained that Stephen Bolton was the last Shareholder to be admitted and that anyone who applies soon will have to wait until the review is complete and the new Shareholder Policy being adopted by the Board.

John S queried 5.5.2 regarding options being explored to extend extra care services with Cumbria County Council. He is aware that Gordon Sisson and Alison Kinnon visited earlier in the week. John M said that this was a scoping exercise to see if West Ing, Edgcombe Court and Ellerside could benefit from extra care services. CCC has funding available for this kind of provision. It was agreed to bring an update to the next meeting.

JM/GS

Under point 5.5.3 There was some confusion regarding void properties and then the rent being increased from social rent to affordable rent. This was clarified that the rent is not affordable, but the 'target rent' which will generally be higher than the historical rent on the property that was previously occupied.

John M under 5.3.2 mentioned that SLDC has a new affordable housing fund which provides for cheaper borrowing under specific schemes. SLH will work closely with SLDC to identify potential schemes.

Under 5.2.1 there has been a Terms and Conditions review for all staff and this has resulted in around 70 staff to date moving from the Local Government Pension Scheme to the new Social Housing Pension Scheme. The Board incentivised this package to staff and there has been a good uptake. This has helped the Board to reduce the risk of long term of pension liabilities.

Under 6.1 The external Governance Board Effectiveness Review there was a lot of positive feedback and the Board was reported to be functioning well with the recent changes bringing improvement and focus to Governance for SLH. Some minor improvements were noted such a table layout to aid debate and clarity about recommendations.

John Holmes will be stepping down as Chair in May 2018. The Board will look at recruiting a new chair which will be on the basis of open recruitment.

Under 5.1.1 Confidential item. John explained that Impact Housing were downgraded in 2017 and announced in November 17 they were looking for a merger partner.

SLH Board had several meetings before deciding to put in a bid to Impact Housing.

There were 4 bids submitted and by mid December 2 bids were chosen to be interviewed by the Impact Board. SLH was one of the successful bids to be asked alongside with Riverside. SLH Board were keen that services would remain local, be more cost effective (with a larger stock portfolio) and that that there would be opportunities created by joining together e.g. borrowing and development capacity. However, Riverside were chosen by the Impact Board as they had 'deeper pockets' and also offered to maintain local strengths including keeping the Impact brand.

John then explained 'What if' SLH had been successful. Pre-Christmas Stephen Bolton would have been contacted and a letter outlining the bid would have gone to all Tenants' Committee members. At this meeting there would have been an agenda item discussing this with Cath being present. There would then be 'due diligence' and 'business case' produced ahead of formal consultation with all tenants. This would also include shareholders and councillors. This would all have been completed by July 2018.

John S questioned whether the process that Riverside were going through with due diligence would throw up any hidden issues around Impact. John M replied that they had already had a significant review of their finances but there was likely to be issues picked up during 'due diligence'.

John M explained that if we had been successful there would have been some short-term pressures to get some of the Impact stock upgraded but that SLH tenants would have been informed of the likely short, medium and longer-term benefits and implications. He mentioned the regulatory framework which set out criteria in which SLH would have consulted tenants.

It has been a learning process for the Executive Team and the Board and if another opportunity arose it would be better placed to submit a bid. Merger was seen as one way to become more efficient, but this had to be weighed up against local services and benefits to tenants.

Dorothy mentioned that a lot of SLH tenants would have resisted a merger with Impact but felt that Eden would be a better fit. John M commented that the SLH Board were open to consider any business opportunity as long as it fit with their objectives. We work closely with Eden and would hope that if they consider a merger we would be well placed.

Charles mentioned that a Board member (Michael Hulme) has stepped down from the Board.

## **9. Member Reports**

Stephen Bolton reported that the complaints panel was going well and their recent meeting had resulted in revising the Complaints Policy. He highlighted the main change to the Complaints Policy being the option for complainants to either go to the Tenant Complaint Panel or the Board Complaint Panel (depending upon their choice).

Charles questioned why a decision had been made at this sub meeting and not at full Tenants' Committee meeting which is what had previously been agreed. After a discussion about the decision-making process it was decided to carry out a vote in light of the policy change. All tenants agreed unanimously in favour of the policy change.

SLH has applied to register the Tenant Complaint Panel with the Housing Ombudsman but are awaiting further information.

The Ministerial Visit was very successful with Loraine and Stephen both attending the event at Preston North End with Alok Sharma MP & Housing Minister. Stephen Bolton had received a letter which was shared with the group. This was very positive although there is now some concern as Alok Sharma is no longer the Housing Minister so there was a concern whether actions would be followed through.

Dorothy talked about Cumbria and North Lancashire Tenants and Residents Forum. The main points were the Awareness days and meeting dates that have been set. These are as follows;

- Feb 21<sup>ST</sup> Lancaster City Council- Regulations for motorised scooters in Sheltered Housing.
- April 25<sup>th</sup> AGM Penrith, Eden Housing- Training secretary/chair person
- June 20<sup>TH</sup> Awareness Day – Universal Credit/advice/support/budgeting - Kendal
- Sept 26<sup>TH</sup> Castles and Coasts, Carlisle - Tenancy agreement, compare plan for awareness day

- Oct 17<sup>TH</sup> Awareness Day – Eden Housing, Penrith- Scrutiny
- Nov 28<sup>TH</sup> South Lakes Housing Kendal- Discuss ideas for next year and evaluate this year.

Dorothy confirmed that SLH had paid it annual subscription.

## **12 Any other Business**

John M confirmed that Lindsay Simons (Director of Corporate Services) would be leaving at the end of May 2018. She would like to have some leisure time initially but will be looking to do consultancy work again in the future.

It was agreed that it will be hard to replace Lindsay as she has been a strength to SLH over many complex financial issues including transfer and the recent refinancing.

The Committee would like to send her their best wishes and send her a card.

LR

Stephen Bolton commented there is a programme worth watching on IPlayer called Inside Out focusing on Gateshead CAB. It follows 3 people claiming Universal Credit at different stages from the start, 6 months and 1 year.

## **13 2018 TC Meetings**

8<sup>th</sup> March, 10<sup>th</sup> May, 12<sup>th</sup> July, 13<sup>th</sup> Sept AGM, 22<sup>nd</sup> November

The meeting closed at 12.50pm.