

**Minutes of Leaseholder Forum held Saturday 28th February 2009 at the
Frederick Bremer Secondary School, Walthamstow, E17**

1. Introduction

Hassett Auguste, Ascham Homes' Chief Executive welcomed everybody then introduced the panel, describing what the Panel does, regarding the provision of services.

Hassett explained the format of the meeting and dealt with the housekeeping issues such as what to do should the fire alarm sound.

2. Question and Answer Session

- Q.** What is the LVT and why do we need dispensation?
- A.** Hassett explained that for the agreements we have with our Decent Homes partners, the law required various legal notices to go out. Although the Notices were sent they were not all correct. As a result the Council and Ascham Homes are seeking dispensation from the Leasehold Valuation Tribunal, which is a special court that deals with service charge issues. We asked the LVT to dispense with some of the legal requirements. The LVT refused to grant dispensation for reasons that we think are wrong, so we are applying to the Lands Tribunal.
- Q.** The Government has given the Council huge grants for repairs of houses but the leasehold estimates and bills have not been relaxed. Where does this money go?
- A.** Hassett explained that the government has given the money based on the project cost less the amount recoverable by the council. This recoverable money comes from the leaseholders. This has always been the case and we are not doing anything different.
- Q.** We had extensive work to our block and our share has been calculated as £24,000.00. We were told that we can get an interest free payment period for three years?
- A.** Anita Murphie replied that the interest free period is normally only for 12-18 months, but that individual circumstances are always taken into account.
- Q.** Why do you encourage people on Income support or Pension Credit to take out loans for their major works bills?
- A.** Because the Council can offer Interest-only loans to leaseholders receiving those benefits, on which the Benefits Agency will normally pay the interest. Although the debt is secured against the property, the leaseholders would not have to pay the capital back until the property is sold.
- Q.** We do not have security doors at 19-33 Payzes Gardens and there is all sorts of anti-social behaviour. We have had refurbishment but not security doors. Can we please have security doors?

- A.** Hassett replied that he would look into it and get back to the leaseholder. (We can now report back that residents will need to make a bid for funding from the Major Repairs Allowance (MRA), to enable this work to be carried out).
- Q.** If you are a leaseholder and not on benefit how can you pay £24,000.00 for the works carried out to your block?
- A.** Hassett advised that leasehold property comes with obligations and it becomes leaseholders responsibility to get clarification from the conveyancer about the obligations before they buy the property.
- Q.** Who decides and actions the maintenance works and who inspects and signs off the payments for these works?
- A.** Hassett explained that works are carried out by our partners. The partners are expected to carry out their own checks, but we will also carry out checks. Leaseholders are not expected to pay for any disputed jobs until they are resolved.
- Q.** Does partnering increase the cost of jobs because you have fixed contractors who can charge what they like?
- A.** Hassett explained that the conventional way of contracting and tendering has been replaced with partnering and that it has been seen that tendering rather than partnering increases the cost of jobs.
- Q.** Why is it that there were no improvements done for many years and now as a result of Decent Homes, a lot of works are being carried out?
- A.** Hassett replied that we did not have enough funds to do all works required at the same time and therefore had to prioritise according to the need. He also explained that the works cost more in the public sector due to standards on issues such as Health and Safety, diversity and so on have to be met. However, we achieve economies of scale through getting as much work as possible carried out at the same time while the contractors are on site.
- Q.** Are you required to pay back the money for Decent Homes back to the government?
- A.** David Errington, the Interim Director of Resources and Legal, explained that the money for Decent Homes does not need to be returned. He further said that government has given approval to borrow £90m for Decent Homes Works. We will only need to pay back the subsidy on interest if we sell all our stock. This money is only for the tenants' contributions as government has paid for cost of works less the costs recoverable from leaseholders.

Presentation on Anti-Social Behaviour

Steve Smith, Operations Team Leader spoke about Ascham Homes' policy on anti social behaviour. He explained that the following measures were in place to make the borough a safer place to live in.

- Tenant Services carry out property audits and take action against breach of tenancy.
- The contract panels work with partners e.g. the police
- Property audit checks are carried out by visiting people on the estate, spending 3-4 days on each estate and also act on any phone calls received from residents.
- Ascham Homes is introducing Introductory Tenancy Agreements from May 2009. As a result of these, if after 12 months, tenancy conditions have been met then a secure tenancy will be issued. If not the introductory period is extended for a further 6 months. During an Introductory Tenancy the tenant does not have all of the rights of a secure tenant, such as the Right to Buy.
- Also, demoted tenancies will be issued by the court as a remedy to tackle anti social behaviour. Demoted tenancies will not have the same rights as a secure tenant.
- Anti social behaviour by leaseholders is treated in the same way as by tenants.
- We expect people to inform us of any change in their circumstances.

This was followed by a question and answer session.

Q. Why don't tenants get permission for long staying visitors?

A. Hassett replied that although we expect people to inform us of any change in their circumstances, at the same time they have a right to personal lives.

Q. Lawns and paths are used as playgrounds. There is lots of fly tipping. Further there is a lot of noise during school holidays.

A. Steve Smith replied that everybody was entitled to a quiet enjoyment of their home therefore we need to know who is causing the problem. He further said that if we are informed as to who is causing the problem, we can write to them and that we do everything in confidence.

Q. I live on Stocksfield Road Estate, where children smoke drugs and socialize on the stairs. We need some security doors. Can you please provide these?

A. Hassett advised that residents would need to make an MRA bid for funding.

Ascham Homes Performance targets

John Lowe, Policy Officer from the Policy and Development team spoke briefly about the company's planned performance targets for the coming year. This was followed

by another question and answer session.

Q. Why go to 101% for collection of service charge and not rent?

A. Hassett explained that it was because we were collecting some arrears in service charges from last year.

Q. Why are only 33% of inspections accompanied?

A. John replied that 33% was quite a high number.

Q. I would like to accompany but not enough notice is given when these inspections are carried out?

A. Hassett answered that we will try to put up the whole years schedule on the notice board and it will make it easier for people to accompany if they wish to do so.

Q. How frequently are these inspections carried out?

A. Roger Ellul, Senior Estates Supervisor, answered that these inspections were carried out every 4, 6, 8 weeks. Depending on the size of the estate, the majority of estates are inspected monthly, the smaller estates are visited every 6-8 weeks.

This was followed by the surgeries being opened for individual, confidential discussions.

The following questions were asked by either leaseholders who could not attend the meeting or between surgeries.

From Essex Close:-

Where does the Council/Ascham Homes now stand legally regarding costs, finance and timing?

Answer – the Council is committed to completing the Decent Homes programme by March 2012 regardless of the outcome of our intended appeal to the Lands Tribunal.

Where do leaseholders now stand legally regarding costs, finance and timing?

Answer – Leaseholders will not be billed for their share of any major works carried out until after the result of our intended appeal is known. If we are successful at appeal, leaseholders will be charged their full share of costs. Until the result of the appeal is known, we will continue to calculate leaseholders charges so that we can notify them of their potential liability and plan accordingly.

What are the next steps regarding finance of Essex Close works to be taken by the Council/Ascham Homes?

Answer – Essex Close has not been affected by the Leasehold Valuation Tribunal decision. The charges for the Decent Homes work and MRA scheme currently being carried out at Essex Close will be calculated, but not invoiced until the result of the appeal process is known.

From St Stephens Close -

A potential buyer has pulled out of buying my flat because of estimated future works over the next 5 years of £27,000. Why can't we just be given information about actual works that are going to be carried out?

Answer – potential buyers ask us about future works so that they can find out, before they buy, whether any major works are planned. If a potential buyer asks for information about future works and we don't tell them for example, that the roof may need replacing, we may be barred from charging for the works if the works are carried out shortly after they buy. This means that we have to include information about any works that could be carried out during the next five year period, based on our Decent Homes programme, planned maintenance and a site inspection.

Does the Council wish to buy back any of these properties?

Answer – not at the moment, but as the policy has not been reviewed for a few years we have asked them to review it and let us know.

There are youths in the park next door making noise, shouting at people walking past, throwing bottles at people and cars, are very intimidating to the point that my tenants have had enough and moved out. I have complained to the Police and I don't know what else to do.

Answer – In addition to phoning the Police you could phone Waltham Forest Direct on 8496 3000 and ask for the 'Parks and Gardens' team to see if they patrol the area. If they do, maybe they can increase their patrols.

When you talk to the Police, ask about the possibility of a dispersal order and whether their Community Support Officers can help.

Ascham Homes will work with the Police and the Council's Community Safety Unit to try and resolve the problem.

From Stocksfield Road and Bisterne Avenue:-

How can I get a licence for a pram shed?

Answer – we need to complete an audit of pramsheds and renumber them before we can grant any licences. Over the years residents have swapped pramsheds with neighbours and there are some residents using two or more pramsheds in a block. The audit and renumbering is a very large exercise that cannot be carried out quickly. When we know exactly who is using which pramsheds, we will then be in a position to be able to grant licences to residents enabling them to use a specific pramshed.

Can we have a bicycle rack or bicycle shed installed on the estate?

Answer - We don't have any specific funding for this, but you can make an MRA bid for funding. All MRA bids are evaluated and prioritised by Contract Panels so unfortunately there is no guarantee that any bid will be successful.