

Subject:	Leaseholder Engagement		
Date of Meeting:	13th June 2018		
Report of:	Larissa Reed, Executive Director, Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Dave Arthur, Leasehold Services Manager	Tel: 293072
	Email:	dave.arthur@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report looks at how the council currently engages with leaseholders and proposes ways in which this engagement could be improved, concentrating on the following themes:

- Improving customer service
- Better communication
- Value for money
- Greater engagement on planned major works

2. RECOMMENDATIONS:

2.1 That the committee notes the practical measures to improve engagement with leaseholders set out in paragraphs 3.29 to 3.40 and supports their implementation.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The council manages around 1,500 blocks of flats of various types and sizes, over 4,000 tenanted houses, more than 7,000 tenanted flats and approximately 2,880 leasehold properties.

3.2 These leasehold properties comprise 2,380 flats sold under the Right to Buy along with 499 flats and houses leased to Seaside Homes.

3.3 All the leased properties contractually require the leaseholders to contribute to the council's total expenditure incurred in keeping the exterior, structure and common parts in repair, along with providing services such as cleaning, grounds maintenance, management, etc.

- 3.4 The leases, with the exception of most leases created before 1987, include a provision to contribute towards works of improvement.
- 3.5 Leaseholders are protected in law on service charge costs to the extent that the costs are 'reasonably incurred', works or services are carried out 'to a reasonable standard', the leases allow for the costs to be passed on and the consultation requirements have been complied with.
- 3.6 The council has set up its own 3-stage internal disputes procedure to aid resolution of service charge complaints. This has proved extremely successful. Over the last 10 years there have been an average of around 60 disputes a year with more than 90% of these resolved at the first two stages. In this period, only three cases have gone to a tribunal hearing.
- 3.7 Leasehold management in the council is not dealt with in one team. The Leasehold Team is responsible for administration of the leases, verifying service charges, financial breaches of the lease and service charge dispute resolution. Housing as a whole is responsible for leasehold management. For example, consultation is dealt with by Property & Investment and Tenancy Management deal with the management of the building and the leases, along with any non-financial breaches.
- 3.8 The council is committed to engaging with leaseholders through the formal Resident Involvement channels such as Residents Associations, the Leaseholders Action Group (LAG), Area Panels and Service Improvement Groups.
- 3.9 Groups of leaseholders in a building have the right to set up tenants' associations. Under section 29 of the Landlord and Tenant Act 1985 the council can recognise such an association for the purpose of dealing with service charge matters.
- 3.10 However, the most important relationship in leasehold management is with the leaseholder themselves on an individual basis.

How does the council currently do leasehold management?

- 3.11 The council's current engagement and communication includes:
- An interim charge sent out each March to every leasehold property (**see Appendix 1**)
 - A Certificate of Expenditure each September with the actual costs for the building and the property (**see Appendix 2**)
 - A leaseholders' newsletter with information about different lease issues included in each mailshot
 - A leaflet explaining how the service charge works and how payment may be made in each mailshot
 - A gas safety leaflet urging that appliances are checked annually
 - Current contact details to be amended and returned in a pre-paid envelope
 - A major works information sheet if major works are being billed, setting out the help with payment that is available (**see Appendix 3**)

- A summary of rights & responsibilities (this is statutory)

3.12 The key information and advice provided includes:

- Leaseholders' Advice line
- Council leaseholders' handbook
- Leaseholders' page on council website
- Welcome pack for new leaseholders
- Leaseholders' disputes procedure and explanatory leaflet
- Major works information sheet
- Insurance policy booklet

3.13 The term 'major work' is used to refer to any work that costs a leaseholder £250 or more. These are works that fall within the statutory consultation requirements and will receive the following:

- Statutory consultation notices to each leaseholder with 30 days for written observations (**see Appendix 4**)
- The council responds to all written observations within 21 days

3.14 The council recognises the importance of engaging with all leaseholders as it recognises the importance of engaging with all tenants. Current leaseholder involvement includes:

- LAG annual general meeting (AGM) for all leaseholders
- Quarterly LAG meetings with committee members elected at AGM
- LAG representatives elected to Area Panels
- LAG representatives elected to Service Improvement Groups
- Periodic satisfaction surveys issued to all leaseholders

High cost works

3.15 Recent years have seen a period of increased investment in Housing's residential properties. Knowing this concentrated investment would result in higher service charge contributions for leaseholders, the council was careful to put in place measures around consultation and payment designed to mitigate the impact.

3.16 For high cost major works the following were put in place:

- Flexible payment options including longer interest-free repayment periods and, for resident leaseholders with payment difficulties, non-repayment loans such as equity loans repaid on the next sale or transfer of the property
- Meetings before Section 20 consultation notices are sent out
- Meetings during the consultation period
- Inspections of surveys, specifications and estimates offered with a council Quantity Surveyor able to sit in and give line by line interpretation and support

- Offer of confidential meetings with leaseholders to discuss payment options – these have had a very positive take-up with payment difficulties for many resolved
 - Council Housing surveyor checks on 100% of works carried out
- 3.17 To date, out of 600 leaseholders who have been billed more than £5,000 for major works since 2012, we have agreed 16 equity loans and 3 voluntary legal charges.
- 3.18 The Pension Service has paid the major works housing costs of leaseholders in receipt of Pension Credit.

How can the council improve engagement with leaseholders?

- 3.19 In 2017 the Executive Director for Neighbourhoods, Communities and Housing set up a councillors working group on leaseholders which has resulted in drawing together a number of leasehold issues where improvement can be made. This coincided with a paper presented by the LAG committee on '*the objectives and means for achieving major change in the relationship between leaseholders and the Housing department of BHCC*'. **(See Appendix 5)**.
- 3.20 Work with LAG and the councillors' working group has led to further ideas on where engagement with leaseholders can be improved. **(See Appendix 6)**.
- 3.21 The council recognises that although it has been technically robust in terms of its obligations to comply with leasehold legislation this should not be the limit to our leasehold management and we need to move beyond the confines of the statutory to achieve better customer service.
- 3.22 There is a consensus that too much reliance has been placed on holding meetings where in reality few people attend. Instead the council needs to concentrate on getting the basics right with a positive and straightforward regime of communication with all leaseholders by letter and with the critical information given on a regular and ongoing basis.
- 3.23 The form of a lot of the information relating to works and the cost of works is wedded to IT systems that are inflexible and do not provide clear descriptions. Responsive repairs for example have job descriptions and Schedules of Rates descriptions which are very difficult to understand for the non-technical reader.
- 3.24 Engagement and communication at the earliest stages of major projects and planned maintenance has been patchy and not followed through during the course of works and after works.
- 3.25 More resident choice would be advantageous for tenants and leaseholders in the scoping of works. Whether a comprehensive programme of works is carried out together, with savings on long-term cost, or whether they can be done elementally over a number of years in more manageable stages is something that can be engaged on more fully.
- 3.26 Leaseholders have been frustrated at not knowing who to go to from the council if there is a problem on site that nobody else can resolve. Clear identification of

the council officer to go to with the autonomy and status to resolve issues quickly would be welcomed.

3.27 Leaseholders are critical of best value being achieved in the procurement of the elements comprising major works projects.

3.28 Leaseholders have told us they would like to see greater transparency in the procurement of our structural surveying consultants.

What practical measures can be implemented?

3.29 An agreed project plan for high cost works that includes engaging with tenants and leaseholders impacted by the works comprehensively from an earlier stage and which involves engagement at key stages such as project initiation, condition survey, options, consultation, pre-commencement, snagging and sign-off.

3.30 Move to individual letters to tenants and leaseholders (both resident and non-resident) giving regular works updates and covering critical stages of projects such as condition survey, condition report, initial specification and cost, delays, commencement, alerts on scaffolding, progress, completion, snagging and the service charge.

3.31 A named council officer for each project with the status and autonomy to resolve issues as they arise.

3.32 The opportunity for leaseholders and tenants of blocks where high cost major works are undertaken to participate in commissioning structural surveying services, joining inspections and overseeing snagging of completed works.

3.33 Create a new position of Leaseholder Liaison Officer to meet and spend time with leaseholders when problems arise and to improve communications. We will consult the LAG committee on the Job Description for recruitment to the post.

3.34 Consult with LAG committee and the councillor working group on a new council leaseholders handbook.

3.35 Consult with the LAG committee and the councillor working group on the next full leaseholders' satisfaction survey (proposed to be carried out in tandem with the next tenants' STAR survey).

3.36 Ensure consideration of more accessible repairs information for leaseholders through the new IT system for Housing.

3.37 Involvement of tenants and leaseholders in consideration of options for the delivery of repairs and maintenance services after 2020.

3.38 Undertake workshops with officers, leaseholders and councillors to monitor progress.

3.39 Improve the communication of the planned maintenance and investment programme that is published on the council's website to allow continuous updating and information to individual buildings.

3.40 Include a customer service improvement element to the leasehold management training sessions that are rolled out across council staff and contractors.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 None considered as part of this report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation has been undertaken with the Leaseholders Action Group at their quarterly committee meetings and with the councillors working group on leaseholders along with a joint officer/leaseholder/councillor workshop on 2 March 2018 (**see Appendix 6**). A briefing on the contents of this report was presented to the LAG annual general meeting on 14 April 2018.

5.2 This report was shared and discussed with leaseholders at the LAG committee meeting of 30th May 2018. The committee appreciated the work undertaken and unanimously voted to accept the report. The committee identified the following two questions which the council agreed to work on with the committee over the coming months:

- Consider processes for the LAG committee to engage more directly with all leaseholders including sharing LAG information and newsletters, for example alongside service charge letters.
- Consider how non-resident leaseholders are represented within existing resident involvement structures.

6. CONCLUSION

6.1 The enhancements to current processes detailed in this report would meet a lot of the aims identified by the LAG committee and by councillors to deliver improved engagement with leaseholders over the next few years.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The HRA Budget for 2018/19 includes funding for a new leaseholder Liaison Officer post. Other costs of improving leaseholder liaison such as sending of individual letters to residents and the creation of a new handbook will be managed within current HRA budget resources.

Finance Officer Consulted: Monica Brooks

Date: 16/05/18

Legal Implications:

- 7.2 The standards for landlord consultation with leaseholders imposed by the Landlord and Tenant Act 1985 are minimum standards. The council is entitled to do anything which is calculated to facilitate, or is incidental to the discharge of its functions. The additional practical measures to improve leaseholder engagement set out in the report are therefore within the council's powers. As the Committee with delegated powers to discharge the council's functions as a housing landlord, it is within its powers to support their implementation.

Lawyer Consulted:

Name Liz Woodley

Date: 15/05/18

Equalities Implications:

- 7.3 None directly related to this report.

Sustainability Implications:

- 7.4 None directly related to this report.

Any Other Significant Implications:

- 7.5 None related to this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Example of interim charge
2. Example of Certificate of Expenditure
3. Major works information sheet
4. Example of S20 consultation notice
5. Leaseholders Action Group Aims September 2017
6. Minutes of Councillor-Leaseholder-Officer Working Group 2 March 2018

Documents in Members' Rooms

1. None.

Background Documents

1. Sections 18-30 Landlord and Tenant Act 1985 (as amended)

Appendix 1



Housing
Leasehold Team
Housing Centre
Eastergate Road
Brighton BN2 4QL

Enquiries: 01273 293074
Payments: 01273 291365

Interim Service Charge for Year 2018/2019

Sent to: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Share of building cost: 4.17%		Building	Property
		For Year (£)	For Year (£)
Public Way Electricity		734.40	30.62
Interim Repairs Charge			195.33
Grounds Maintenance		2,098.29	87.50
Estates Service (Caretaking)		411.54	17.16
Door Entry System		39.33	1.64
Communal TV Aerials		325.38	13.57
Cleaning Service		2,977.25	124.15
Buildings Insurance - Standard	- 3 beds		138.00
Administration & Management		2,462.34	102.68
Total Interim Charge for Year	12 x monthly payment	£	710.64
Monthly Payment due 1 April 2018		£	59.22
Ground Rent for Year due 1 April 2018		£	10.00
Leaseholder(s): [REDACTED]	Housing Customer Services		
Of Property: [REDACTED]	01273 293030		
In Building: Stevens Court (C) - 45-68	Repairs: Tel: 0800 052 6140		
Lease Type: Hove 4			

Appendix 2



Certificate of Expenditure

Housing
Leasehold Team
Housing Centre
Eastergate Road
Brighton BN2 4QL


Enquiries: 01273 293074
Payments: 01273 291365

Actual costs for your building for the year ending 31 March 2017

Sent to: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Services to your building*	Building (£)	Your cost (£)
Repairs	311.99	52.01
Public Way Electricity	157.14	26.20
Grounds Maintenance	198.10	33.02
Estates Service (Caretaking)	110.08	18.35
Door Entry System	37.80	6.30
Communal TV Aerials	81.34	13.56
Cleaning Service	768.60	128.13
Buildings Insurance - Standard - 2 beds		114.04
Administration & Management	605.82	100.99
Total service charge for your property		492.60
Major Works	Total cost (£)	Your cost (£)
Internal Decorations	2,962.25	493.81
Total cost of major work for your property		493.81
Your costs		£
Service charge for the year		492.60
Major work		493.81
Sub-total		986.41
Less service charge billed		618.12
Under charged for the year to 31 March 2017 by:		368.29

*A report of the repairs carried out over the year is available on request.

Leaseholder(s):	[REDACTED]	 Principal Accountant 18 September 2017 Date
Of Property:	[REDACTED]	
In Building:	Buckley Close (O) - 25-35	
Lease Type:	Hove 4	
Share of building cost:	16.67%	
Date of lease:	25 April 1994	



Major Works

Information about major works, paying for major works and assistance for leaseholders facing large bills

The need for major works

From time to time the council needs to carry out extensive work to its buildings in order to keep them in repair. Projects might include replacing windows, refurbishing lifts, external brickwork repairs or redecorating the common areas. Major works are generally those that will cost individual leaseholders more than £250.

Consultation

If the council needs to carry out any major works to your building, you will be consulted beforehand in line with the legal requirements that apply to all landlords. This will include a formal notice setting out the estimated costs. Leaseholders have a 30 day period in which to make written observations on the works or the costs.

For larger scale works the council will hold meetings with residents, and keep you informed of progress, often through scheme newsletters.

Defects period

Once the works are completed there is normally a 'defects liability period' in which the contractor can be brought back to remedy any faults at no extra cost. This is the time to alert the council to any faults you are aware of - once this period is over, costs will be incurred to put right any defects.

Major works bills

Major works are not included in the interim charge you pay. Neither does the council manage a sinking or reserve fund to collect money in advance. Major works are normally billed at the end of the September following completion of the works. If you are liable to pay a service charge towards the works, the amount will be included in your annual Certificate of Expenditure.

However, if you are due a credit refund on your interim payments and would like the council to hold this money against any future costs – please contact our Central Collection Team on (01273) 291365.

Paying for major works

Due to the time between you first becoming aware of the costs you have to contribute to and when the works are actually billed, you should use this time to make the necessary provisions to make payment when you receive the invoice. When the demand is made, payment will be due within 28 days.

Loan repayment interest rates in this leaflet are subject to change

Payment options

If you have difficulty with payment and want to discuss an arrangement to pay or taking out a council loan, contact the Central Collection Team on 01273 291365 or e-mail CCT@brighton-hove.gov.uk.

Independent money advice is available from certain agencies such as Money Advice and Community Support (01273 664000) or Citizens Advice Bureau (0845 120 3710).

From bodies other than the council:

- if you have a mortgage - your mortgage company may add the amount to your existing mortgage
- you may be able to get a loan from a private lending institution such as a bank or building society
- if you are a leaseholder and are over pension age you may be entitled to help with your service charge - Pension Credit can help with interest on certain loans for repairs or for service charge. To claim Pension Credit phone 0800 99 1234, or speak to the Pension Centre on 0845 6060 265 or www.gov.uk
- The Pension Service offer a home visiting service to the most vulnerable customers within our communities (those unable to engage with DWP by any other method). To arrange you can either use the contact numbers above or phone the Benefit Enquiry Line 0800 8822 00 if you are seeking to claim PIP, Attendance Allowance or Carers Allowance
- if you are of working age, depending on your circumstances, you may be entitled to help with your service charge – Jobcentre Plus can help with claims or enquiries on Information & Services: 0800 055 6688 or www.gov.uk

From the council:

- you can discuss spreading the payment with the council's collection team
- you can discuss with the council's collection team taking out a council loan to spread the cost for up to ten years (see below for further information)
- if you are of pensionable age – an interest-only loan from the council may help

For resident leaseholders only:

For works costing £5,000 or more, and where you are unable to take up any of the other options:

- we may be able to agree an equity loan with you (where there is no interest involved, but the council would receive an agreed share of the selling price on a future transfer)
- we may be able to agree a maturity loan (where the loan amount and interest are repaid on a future transfer of the flat)
- we may be able to agree a long-term loan at interest up to 25 years

Voluntary legal charge:

- In cases of extreme hardship, for resident leaseholders only, the council may consider placing a voluntary legal charge on the property (which could offset payment and interest until the property is transferred)

Discretionary Reduction of Charges

The Social Landlords Discretionary Reduction of Service Charges Directions give the council the discretion to reduce service charge in respect of works of repair, maintenance or improvement in cases of extreme hardship.

Loan repayment interest rates in this leaflet are subject to change

If a leaseholder makes an application under this discretion, the council will consider the case on its merits, taking into account whether the dwelling is the leaseholder's only home, their financial resources, their ability to pay over a longer period of time, the impact on the value of their home and other matters.

A formal report in each case with supporting documentation goes to the Head of Service for a decision in consultation with the Chair of the Housing Committee.

Applications for the council to exercise this discretion should be made to the Leasehold Team (the contact details are on the back page).

Council loans

Council loans have a variable interest rate. The current rate is 4.83%. This is reviewed every six months. The council will give you a month's notice if there is to be a change in the rate.

If you have a mortgage we strongly recommend you talk to your lender before you apply for a council loan. This is because their terms may be better than those the council can offer.

With a council loan, we will register your flat with the Land Registry as security on the amount you borrow. There is a £50 fee for this registration and an £80 administration charge for setting up the loan. These fees will be added to the amount of the loan.

The table below shows indicative monthly repayments on a 10-year council loan at the current rate of interest:

Amount	Monthly repayments: 10 years	Monthly repayments: 10 years (interest only)
£2,500	£27	£10
£5,000	£54	£20
£10,000	£107	£40
£20,000	£214	£81
£30,000	£321	£120

Paying the Service Charge

So long as the costs incurred on the works are reasonable and the works are of a reasonable standard, service charge is payable. It is important you pay the service charge by the due date, or come to an arrangement to pay by one of the options for assistance set out above.

Any service charge debt where this does not happen will lead to legal proceedings being issued, in which case your home is put at risk.

Disputes

The council has a 3-stage Leaseholders Disputes Procedure for service charge disputes. We will not chase payment for service charge if you have written to us and we have put the matter in dispute.

A leaflet explaining the disputes procedure can be sent on request from the Leasehold Team (01273) 293074.

Loan repayment interest rates in this leaflet are subject to change

Inspection of accounts

Once the works are complete, a Certificate of Expenditure is issued to you the following September which shows the actual cost of the work along with your share. We also send you a breakdown of the costs and an invoice to pay within 28 days.

At this stage the council will provide you with copies of the accounts, receipts and other documentation that support the service charge or offer facilities to inspect them on request to the Leasehold Team.

First-tier tribunal (Property Chamber)

The council has a good record of resolving service charge disputes internally. However, leaseholders have the right to seek a determination from the First-tier tribunal. This body has taken over the functions of the Leasehold Valuation Tribunal.

There is an application fee, but the tribunal acts as a judicial arbitrator to decide whether service charges are reasonable and how much is payable. Leaseholders in the same building, or affected by the same costs, can bring a case jointly if they wish.

Tribunal proceedings are less formal than a court, the panel being made up of a chair who may be a lawyer or surveyor and normally two other members. Statements and evidence such as surveyors reports are requested in advance of the hearing which will hear evidence from both sides, asking questions along the way.

Useful contacts

Brighton & Hove City Council Central Collection Team Bartholomew House Brighton BN1 1JE (01273) 291365 cct@brighton-hove.gov.uk	Brighton & Hove City Council Leasehold Team Housing Centre, Eastergate Road Brighton BN2 4QL (01273) 293074 rtleasehold@brighton-hove.gov.uk
Money Advice and Community Support 24 Old Steine Brighton BN1 1EL (01273) 664000 info@macss.org.uk	The Pension Service PO Box 19013 Motherwell ML1 3YY 0845 606 0265 www.gov.uk
Citizens Advice Bureau Hove Town Hall 1 Tisbury Road, Hove BN3 4AH 0845 120 3710 www.brightonhovecab.org.uk	Leasehold Advisory Service (LEASE) Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX 020 7383 9800 info@lease-advice.org www.lease-advice.org
Tribunal Regional Office 1 st Floor, 1 Market Avenue Chichester PO19 1JU (01243) 779394 southern.rap@communities.gsi.gov.uk	The Leaseholders Action Group works to represent council leaseholders in the city. Chair: David Croydon - lag@clarend.com Tel: 01273 605225 Resident Involvement Officer: Keely McDonald - keely.mcdonald@brighton-hove.gov.uk

Loan repayment interest rates in this leaflet are subject to change



Housing
Housing Centre
Unit 1, Fairway Trading Estate
Eastergate Road
Brighton BN2 4QL

██████████
██████████
██████████
██████████

Date: 15 February 2018

Ref: Mears

Telephone: 01273 293427

Email: PanelEnquiries@brighton-hove.gov.uk

Dear ██████████

**Section 20 Landlord & Tenant Act 1985 (2003 Service Charge Regulations)
Notice of Intention to carry out works under a Long Term Agreement -
Schedule 3**

**Gutter & Chimney Repairs
BROAD GREEN (E) - 22-28**

We would like to consult you on our proposal to carry out works at the building. No works will be ordered until the consultation period is over. Please note that this is not a bill or a demand for payment.

As you may be aware, the council has the responsibility under the lease to keep the structure and the exterior of the property in repair and to make good any defects affecting the structure. This responsibility also extends to any common parts.

The council has identified that the following works are now required to be carried out at the building:

- Scaffolding to be erected in order to carry out repairs to the guttering and chimney.

We consider it to be necessary to carry out these works because:

- There is a leak affecting flat No. 28.

We have sent you this notice to advise you of our intention to carry out these works and address the repairs and maintenance issues set out above under an existing long-term agreement with Mears PLC.

- All leaseholders were fully consulted before the agreement was let in compliance with Section 20 of the Landlord & Tenant Act 1985.
- Competitive tendering is not required in that the contractor is already in place. Consequently leaseholders can not be invited to nominate a contractor.

Estimated cost of the works

We estimate the total amount of expenditure likely to be incurred on and in connection with the proposed works at your block to be: **£2,732**.

Based on this amount, it is estimated that your share of the costs, calculated in line with your lease will be **£683**. Please note that these figures are estimates and the actual costs could be higher or lower.

You are invited to make written observations in relation to the proposed works or the costs by sending them to:

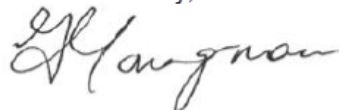
Pauline Wybrow
Property and Investment Team
Brighton and Hove Council
Housing Centre
Unit 1, Fairway Trading Estate
Brighton BN2 4QL

Written observations must be received within 30 days from the date of this notice. The consultation will end on 19 March 2018.

If you do wish to make any written observations we will have regard to your observations, and will send you our written response within 21 days of the date we receive your observations.

If you would like to talk to someone about this consultation please phone as set out at the top of this letter.

Yours sincerely,



Theresa Youngman
Housing Programme Manager

Letter F1 – Works under a long term agreement

Appendix 5

LAG AIMS for 2017

This paper describes the objectives and means for achieving major change in the relationship between leaseholders and the Housing Department of BHCC.

CONSULTATION AND COMMUNICATION ON MAJOR WORKS

Aim: To achieve a model of individual consultation, by letter with each leaseholder or through meetings as appropriate, that treats leaseholders as clients and collaborators, and that includes:

- dates of surveyors' visits, their reports, their recommendations
- works agreed by BHCC arising out of surveyor recommendations and reasons for them
- Council tendering policy and brief details of company tenders submitted, eg. company names and costings
- an agreed time period in which leaseholders can take advice and respond to the consultation
- Section 20 notices and dates of commencement of works to be distributed as soon as possible once agreement has been reached.
- to be advised in advance of the companies to be employed in major works, and any parent companies
- to be advised of any comparison benchmarking undertaken with other Councils.
- to be advised of relevant Clerk of Works reports or final signing-off paperwork on completion of a major work
- on completion of work, consultation to be undertaken with regard to completeness and quality within an agreed time period
- the above model to include BHCC tenants

QUALITY ASSURANCE FOR MAJOR WORKS AND RESPONSIVE REPAIRS

Aim: To agree a process that would ensure an acceptable quality of work, that includes :

- a manager to be directly responsible for visiting and advising on any reported instances of damage to property by workmen, or inappropriate behaviour, and with enough autonomy to resolve the issue quickly
- to be advised in advance of the duration of any erected scaffolding
- an annual report of repairs incurred on their block to be sent out to all leaseholders with the Certificate of Expenditure
- a reporting system by Mears that can do more than list the initial reported description of a job (which is often incorrect because the actual problem has not been looked at at this point)

MEARS CONTRACT REVIEW

Aim: To be informed and involved in the process of review meetings, with dates and timescales, areas of review, management personnel involved, expectations of review outcomes, any stats produced as part of the review, & information on new contract.

GENERAL COMMENTS

Obviously, there are Data Protection requirements which the Council must observe, but, outside of these requirements, there is an expectation that information will be shared in the interests of creating an atmosphere of trust between leaseholders and the Council; of defining best practice and thereby improving management processes; and of achieving leaseholder satisfaction and thereby decreasing the amount of Council time that must be spent on managing dissatisfaction.

The final agreed aims, as set out in bold type on this document will be addressed at every LAG meeting held with the Council, and will appear on every set of minutes, meeting agendas, or other such LAG documentation.

September 2017

Appendix 6

Leaseholders Working Group 2 March 2018

Larissa Reed (LR) introduced the meeting as this follows from the last Leaseholders Action group (LAG) AGM to look at engagement. Agreed to get into groups to discuss what successful engagement looks like for leaseholders and councillors. Will then take to wider LAG as well as committee.

Group 1

Agreed that need to look at attendance by leaseholders to meetings as some don't attend or have internet access. Maybe useful to have a letter to send round or a newsletter, as well as providing a report with costs and options.

Councillors agreed to an additional post for a dedicated leaseholder post at council. This post came from the leaseholder meeting that requested a dedicated contact from the HRA budget. Agreed to share job description of the new post. Suggestion of making the new post less office based but more communicating with leaseholders and resolving issues, as well as an outreach post to troubleshoot problems.

Communication is key and some leaseholders had issues related to confidence in the council's works programme.

Leaseholders aware of the requirements related to S20 consultation but would like to be made aware of the forward plan to give them an idea about current works which are coming up. Will ask Property team to look at this. Issues related to Mears contract when it comes to an end as leaseholders would like to be involved.

Asset management provide reports which are robust and show what needs to be carried out urgently as well as what is of lower priority.

Leaseholders would like more maintenance to then stop major works becoming a necessity.

Policy on graffiti discussed. This is usually prioritised – agreed that would be good to know procedures as to why the council doesn't respond straight away. Also an issue is responsive repairs.

Group 2

Leaseholders do not want to get Section 20 Notices out of the blue.

The council needs to be as open as possible as soon as proposals are known.

The council's communications would be improved greatly if individual letters to leaseholders were sent rather than rely on sparse turnout at inconvenient meetings.

The council's primary contact must be with individual leaseholders and not with LAG, although LAG, as a tenure-based group is key to BHCC's Resident Involvement

work – indeed some leaseholders have specifically asked that the council do not involve LAG or any other person or group in their primary dealings with the council.

There has to be plenty of scope to improve the 3-year forward plan of works so that leaseholders can be better aware of future costs & pre-sales enquiries can be dealt with more meaningfully – this means that the plan is building based (with budget costs) rather than estate or area based as it is now.

Having people on the ground to look after the buildings when they need looking after.

When billed for major works, leaseholders want to be confident that the works were necessary, the costs are reasonable & that the work hasn't become necessary through the council's neglect.

Improving the general condition of the estates would go some way to raising confidence among leaseholders.

The LAG Aims document, as written & produced by Jane Thorp is an excellent document that gives BHCC the heads up on what it needs to do to improve its engagement – BHCC can sign up to 95% of this document & positively welcomes it.

When leaseholders phone Housing they can get treated differently to tenants, with comments such as, 'Oh, you're a leaseholder!' The set-up seems adversarial & could be improved by staff having the capacity to explain things better, more fully & not defensively.

Leasehold Liaison Officer could be helpful but it needs teeth – also needs to be an outreach role, a trouble-shooter able to spend time with leaseholders & not office based & someone who has the gravitas to get things done, or liaise resolutions, sometimes quickly, an empathetic person, a people person, not a surveyor.

Complaints about works never seem to be fed back with outcomes – there should be a snagging log.

The timing of maintenance should be a 2-way conversation – however, the situation is more complex than this because there are likely to be as many different views as there are tenants and leaseholders in a building.

There should be a bridging of divided between leaseholders and tenants.

Next Steps

- Report to go to Neighbourhoods, Communities and Housing in June and to take to the LAG a report
- Satisfaction survey of all leaseholders tied in with next STAR survey of tenants
- Some issues related to FOI requests as sometimes the format is not always in the way the requestor would like
- Council does own the issues

