

MINUTES OF THE BRENT HOUSING PARTNERSHIP BOARD MEETING HELD ON THURSDAY 25th FEBRUARY 2010

Present:

Board Members

Kathy Ellison - Chair	Independent
Joyce Baldy Gray	TRA
Karin Jaeger	TRA
Brian Litchfield	TRA
Chirag Pandya	TRA
David Unwin	TRA
Shaidah Ramzan	TRA
Dennis Woolcock	TRA
Alec Castle	Councillor
Sami Hashmi	Councillor
Janice Long	Councillor
Annette Collins	Independent
Colin Moone	Independent
David Offenbach	Independent

Officers

Helen Evans (HE) (Managing Director), Gerry Doherty (GD) Director of Technical Services, Gary Chase (GC) (Director of Finance), Doherty Sandra Royer (SR) (Director of Housing Management), Linda Footer (LF) Company Secretary, Linda Saunders (LS) Contracts Manager, Sue DeSouza, (SDS) Special Projects Manager, and Jim Cranfield (Clerk).

30 Apologies for Absence:

Apologies were received from James O'Sullivan

31 Declarations of Interest

Dennis Woolcock in respect of his membership of the South Kilburn Football Club

32 Minutes of Board Meeting held on 26th November 2009 and the Special Board Meeting held on 28th January 2010

Resolved

That the minutes of the Board meeting held on 26th November 2009 and the Special Board Meeting held on 28th January 2010 be agreed as a correct record

subject to the substitution of the words “three South Kilburn ward members” for the words “two South Kilburn ward members” in minute 24 (26th November).

33 Matters Arising

None

34 New Homes Sub Committee – Terms of Reference

Sue DeSouza presented this report setting out the sub committee’s recommendations for its terms of reference, including membership arrangements, as follows:

- 1 The body be known as “The New Homes Sub Committee”;
- 2 That the Board membership should be 4 to include one from each form of membership;
- 3 That, consistent with other sub committees, membership should not include officers of BHP;
- 4 That the membership should provide for the appointment of one co-optee and one resident representative and
- 5 That the quorum should be 2 Board Members

Resolved:

- 1 To approve the recommendations submitted by the New Homes Sub Committee together with the revised Terms of Reference as submitted with the officers’ report, and
- 2 To confirm the appointment of the following members to the sub committee: Alec Castle, Kathy Ellison, Brian Litchfield and Chirag Pandya.

34 Schedule of Contracts

The schedule identified any contracts which were due to be awarded under delegated powers and provided an opportunity for the Board to “call in” the contract for consideration.

One surveying framework contract was due to be awarded in April and was not called in.

35 Chief Executive’s Report

HE presented an oral report on news and developments affecting BHP with specific reference to the following:

Scrutiny Panel – **HE** explained that the last panel had not been convened recently in the absence of any appropriate business. Further meetings would be held in accordance with the agreed arrangements.

HR Support - it was noted that a shared service arrangement with Hounslow Homes was expected to commence a three month trial period shortly.

Brent Council efficiency savings – it was noted that Brent’s programme had been accelerated. BHP had already initiated a process to address the needs arising from the economic climate and other factors and further consideration would be given to the matter at the Board’s away day which would be held in March.

36 Performance Report

Linda Footer presented the 3rd Quarter Performance Report and officers provided further information on the reasons for any underperformance and the nature of mitigating action.

Arising:

Format – it was agreed to attach a pie chart to future reports categorised between performance above, below and on target.

C9A – Ready to let time in days – at 24 days this was two days off target and **GD** explained that this arose from a combination of a peak in work at a time of lower resources over the Christmas and New Year period.

Complaints – **HE** outlined the measures being taken to reduce the number of complaints reaching stage two and the number of stage two complaints upheld. This included additional staff training and working with the Corporate Complaints team to reduce or eradicate the numbers of stage two’s upheld for minor administrative errors.

SR said that it had not been possible to persuade Council officers of the merits of distinguishing vexatious complaints as suggested by the Board. Council officers were constrained by the timelines imposed for appeal to the Ombudsman and any attempt to deal differently with complaints deemed vexatious could result in a successful appeal and a consequent adverse Ombudsman report.

However separate BHP analysis could be undertaken and it was agreed that the figures would be presented to the Board in future.

CM commented upon the column headed “Direction of Travel” which he felt would be of more value if it was amended to show a “year end prediction” as to whether the current direction of travel was going to result in that service meeting the year end performance target. Officers agreed to look at this.

The report was noted

37 Board Decisions

The Board noted this report which detailed the current position on outstanding matters from Board decisions.

Matters completed were deleted from the list including the reference to a joint venture company for redevelopment in South Kilburn, which was not now proceeding.

Arising

Introductory/Demoted Tenancies - it was agreed to receive a further report on this matter in conjunction with a report on Tenancy Agreement issues.

Modern Methods of Construction – the following Members indicated an interest in visiting the British Research Establishment: Annette Collins, Karin Jaeger, Brian Litchfield, Colin Moone, Shaidah Ramzan and David Unwin.

BHP Restructure –it was noted that this would be discussed further at the next Away Day.

38 Sub Committee Reports

The minutes of the sub committee/panel meetings detailed below were presented by the Chairs of each sub committee with key points and matters of particular interest drawn to the attention of the Board.

Service Delivery Sub Committee – 20th January 2010

Development Sub Committee – 26th January 2010 - Arising

the following Recommendations were approved:

Minute 23 -Settled Homes Loan Funding

- 1 the Board delegates authority to the Director of Finance to negotiate the terms of the loan facility for £8million;
- 2 the Director of Finance be authorised to proceed with the acquisition of the first tranche of properties

Minute 24 – Scheme Approval – Ander Close, Coppermead Close and Mead Court

- a) To enter into a lease with the council at nil consideration for the duration of the builds.
- b) To purchase the freehold of the land at Ander Close, Coppermead Close and Mead Court from the council on completion for a price not exceeding £1 per site subject to:
 - Satisfactory reports on title
 - Satisfactory ground investigation reports
 - Grant being awarded by the HCA
- c) To enter into a building agreement/contract with Durkan for a sum no greater than £328,000 (Ander Close), £195,000 (Coppermead Close) and £315,324 (Mead Court) inclusive of design fees, NHBC performance bond, site investigation, planning and building regulations and the cost of carpets, white goods and curtains where included and exclusive of VAT subject to:
 - Grant being awarded by the HCA
- d) To sign and seal all documents relating to recommendation a) & b) above together with any other documents that may be required to procure these developments e.g. purchase contracts, transfer agreements, planning agreements, nomination agreements, collateral warranties, road and sewer adoption agreements, grant agreements etc. and
- e) That the Chair be authorised to approve any necessary scheme/cost variations subject to compliance with Standing Orders and Financial Regulations.

Finance & Audit Sub Committee – 27th January 2010

Board Remuneration Panel – 28th January 2010

Resolved

To note and ratify the minutes of the above sub committee and panel meetings.

40 Private & Confidential

The public were excluded from the remainder of the meeting in view of the confidential nature of the business to be discussed.

41 Development Schemes Update

SDS reported that the following scheme proposals had been approved by the Development Sub Committee

	Ander Close	Coppermead Close	Mead Court
No of Units	2	1	2
Size	3 bed/5 person	4 bed/6 person	3bed/5 person
Start	May 2010	July 2010	July 2010
Complete	March 2011	May 2011	May 2011
Scheme cost	£385, 896	£206,431	£ 345,374

AC asked whether defects insurance would be necessary and **SDS** agreed to advise.

A number of recommendations had been made for the Board's approval and these were given by the Board in approving the minutes of the sub committee (minute 38 above).

The report was noted and approved.

42 Settled Homes Loan Funding

Sue DeSouza presented this report on the proposed arrangements for funding the first tranche of acquisitions for the settled homes initiative which had been reported to and approved by the Development sub committee.

Key points noted:

Loan Funding –the Council's executive had agreed a prudential loan facility of £8million subject to Council officers finalising the final terms and conditions including compliance with the Prudential Code issued by CIPFA

The loan would enable the acquisition of the first tranche of a minimum of 40 properties.

Grant Agreement - the HCA had approved and will administer a £10million funding allocation for 286 homes in accordance with the following targets:

- 2009/10 – 13 properties
- 2010/11 – 136 properties
- 2011/12 – 137 properties

Key terms of the agreement were noted.

A number of recommendations had been made for the Board's approval and these were given by the Board in approving the minutes of the sub committee (minute 38 above).

The report was noted and approved

43 District Heating Contract- Waiver of Contract Standing Orders

Linda Saunders presented this report which sought the Board's approval to the waiver of Standing Orders – Contracts in the circumstances and for the reasons outlined below.

Key points

- The existing contract for repairs and maintenance to district heating was due to expire in February 2014 but the contractor had invoked a break clause
- Officers had concluded that, given the urgency to replace the current contractor and in the light of managing the existing contract, BHP would be better served by one of the two existing term contractors for the gas contract.
- Approval was sought to invite both contractors to submit a tender for the contract without the formal tendering procedures set out in Standing Orders

GD confirmed that some monies due to the previous contractor had been retained pending receipt of relevant information.

Having noted details of the estimated value of the contract, the past performance of previous contractors and relevant legal and financial information, it was

Resolved:

That there are good operational and financial reasons for not carrying out a formal tendering process and that the District Heating Contract be given to one of the term contractors for one year initially with the possibility of extending if they perform well.

44 Award of Contract for the Management of Lynton Close Travellers Site

Linda Saunders presented this report which sought approval for the award of a contract to Oxford and Buckinghamshire Gypsy and Traveller Service (OBGTS) for the management of the Lynton Close Travellers site.

The report reviewed the history of previous management arrangements and provided details of the EU compliant tendering procurement process followed, including the consultation undertaken with residents of the site.

In the light of the response to the initial advert, and following legal advice, a negotiated contract procedure had been adopted.

It was noted that the residents had been invited to sit on the contract evaluation panel and that one nomination was received. The evaluation process had included visits by the panel, including the travellers representative, to six of the sites managed by OBGTS.

Following OBGTS initial visits to the site and their assessment of the management environment, an action plan had been prepared identifying the issues to be addressed to enable OBGTS to take responsibility for managing the site.

BHP officers indicated that the required actions could be achieved by the end of April 2010 with the cooperation of other agencies.

In Discussion

HE advised that the approach being suggested, and which had followed very lengthy discussion and consultations, was not likely to meet with approval from all quarters. However it was considered to be the best option.

Members noted the terms of an explanatory letter which would be sent to the residents and interested parties subject to the Board's decision.

A number of other detailed points were noted, including considerations regarding the health & safety of staff, the possible availability of government funding for future refurbishment work, and measures taken to strengthen the licensing agreement.

HE confirmed that a local management presence would be maintained similar to other housing estates.

Resolved

That the contract for the management of the Lynton Close Travellers site be awarded to Oxford and Buckinghamshire Gypsy and Traveller Service (OBGTS) subject to both parties agreeing a start date and being satisfied that it is in the best interest of all parties concerned.

45 Payments to Co-opted Sub Committee Members

This report was presented by Gary Chase and asked the Board to consider whether the policy of making payments to Board Members should be extended to include co-opted members.

Attention was drawn to the increasing complexity of the work involved and the need to attract individuals with relevant skills and experience.

A particular need, highlighted by the external auditors, for a specialist finance member was noted. The results of a marketing exercise had indicated that suitable candidates could be attracted if payments were available.

It was noted that if payments were made the board remuneration budget would need to be increased appropriately.

Resolved

- 1 That a co-option onto the Finance and Audit Sub Committee be approved,
- 2 That the Chair of the Finance and Audit Sub Committee be delegated to deal with this matter on advice from the Chief Executive and
- 3 A maximum remuneration be set at £5,000 per annum for co-opted members and subject to any performance criteria that the Remuneration Sub Committee may determine.

46 BHP New Homes - Rent Setting and Service Charge Policies

Sue DeSouza presented the initial recommendations of the Members working group which had been set up to develop policies for BHP's new responsibilities as a landlord in its own right.

Members noted that such policies required to be consistent with the requirements and standards of the Homes and Communities Agency/Tenant Services Authority.

The working group had met on 11th February and submitted two policy drafts for Board Approval

Resolved

That the policies for Rent Setting and Service Charges be approved as submitted.

47 Development and Regeneration Unique Selling Points

The need for BHP to identify “unique selling points” (USPs) to support any future bids as part of its development strategy, had been emphasised by Brent councillors who had attended a meeting of the sub committee.

A draft paper identifying such USPs had been considered by the sub committee and was submitted for consideration by the Board under the following broad headings:

- 1) Strategic Fit – BHP’s unique position in being able to support the Council’s corporate strategy
- 2) Diversification and Tenure
- 3) Investment in Brent – BHP’s successful track record in successful funding bids bringing new resources into the Borough
- 4) Quality & Accreditation – high inspection ratings and service improvements
- 5) Service Delivery Standards
- 6) Community Engagement
- 7) Development & Regeneration
- 8) Supplementary Housing Projects

In discussion

SDS advised that the list need not be static but could be reviewed in the context of each individual bid.

In approving the draft Members suggested the following additional points

- Environmental considerations particularly BHP’S work on solar power and recycling
- Value for money and the record of efficiency savings
- To further develop the points about quality accreditation.

Members were invited to submit any further suggestions to Sue DeSouza

48 Helen Evans

This was Helen’s last Board Meeting.

On behalf of the Board, Kathy Ellison thanked Helen for her leadership and all her hard work and professionalism in guiding the Board and BHP since its creation.

Members wished Helen every happiness and success for the future.

The meeting closed at 8.30pm having completed its business.

Chair

Date