

**HOUSING CONSULTATIVE GROUP****MONDAY 4 MARCH 2002 AT 2.00 PM**

**PRESENT:** The Executive Portfolio Holder for Health and Well Being:  
Councillor Bloxham (Chairman)

Councillors Mrs Bowman, Farmer, Mrs Fisher, Hodgson B and  
Joscelyne.

**ALSO**

**PRESENT:** Mr J Zitron – Director, HACAS Chapman Hendy  
Mr P Anson - Assistant Director, Riverside Housing Group  
Mr J Adams and Ms R Notman -Tenants' Advisory Group (TAG)  
Mr D Thomas - City Treasurer  
Mr T Bramley – Director of Housing  
Mrs L Dixon – Housing Transfer Project Officer  
Mr D Steele – Accountancy Manager  
Mrs M Durham - Committee Clerk

**HCG.13/02 WELCOME**

The Chairman welcomed Mr J Adams to the meeting following his recent period of ill health.

**HCG.14/02 APOLOGY FOR ABSENCE**

An apology for absence was submitted on behalf of Ms I Davison (Unison representative).

**HCG.15/02 MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meetings held on 14 January and 11 February 2002 were agreed as a correct record of the meetings and signed by the Chairman.

**HCG.16/02 RSL POLICY DEVELOPMENT**

The Housing Transfer Project Officer presented a joint report of the Director of Housing and the City Treasurer (H.21/02) concerning the seven key policy statements drafted by Carlisle Housing Association which partially underpinned the draft Offer document to tenants.

The Housing Transfer Project Officer indicated that the policy statements, attached as appendices to the report, were the result of a development process and outlined each in turn. Although some of the detail still required to be established, that first stage gave the City Council and Carlisle Housing Association enough to properly prepare the Offer, and sufficient time

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remained pre-transfer should further work be required to develop the detail. In addition, each of the statements may be subject to some minor amendment following further comments from the Council's professional advisers or the DTLR and Housing Corporation.

The Tenant Advisory Group (TAG) had been involved in the development of the policies, each having been debated at TAG meetings over several weeks and, where appropriate, their comments had become part of those policy statements.

The City Treasurer, Director of Housing and Mr Anson then responded to Members' questions.

A Member drew attention to some typographical errors in the policies, together with certain points which he felt could be clarified for ease of understanding and Mr Anson noted the same.

**The Portfolio Holder for Health and Well Being undertook to request the Executive to approve the approach outlined in the policy statements provided by Carlisle Housing Association and attached as appendices to report H.21/02, subject to the comments detailed in sections 1.3, 1.4, 2.6 and 3.8 of the report.**

#### HCG.17/02 CARLISLE HOUSING ASSOCIATION – PROPOSED RULES OF THE ORGANISATION

The Director of Housing presented a joint report with the City Treasurer (H.20/02) enclosing the final draft version of Carlisle Housing Association's (CHA) proposed rules.

The Director drew Members' attention to the document attached to the report which represented the proposed rules of CHA, as approved so far by their Shadow Board. The rules were based on the 'model rules' of the National Housing Federation (NHF) which were regarded as representing best practice within the sector. Based as they were on model rules developed by the RSL sector's trade body the NHF and negotiated by them with the Registrar of Friendly Societies, any variations would need specific agreement by the Registrar.

The Director outlined the key areas where the decision of CHA to follow a particular constitutional route had a potential implication for the Council, together with Officers' recommendations regarding the same. He added that since writing the report, and following representations from Council Officers, agreement had been reached, the effect of which was:

Shareholders of the Association (Section 2.5 refers)

Shareholding status was an important consideration since only shareholders could vote on matters at general meetings or convene such meetings. In that regard it had been agreed that a qualification would be inserted which required at least one of the representatives from each recognised Group to be a tenant of the RSL.

Co-optees to the Board (Section 2.6 refers)

In order to ensure that quorate Board meetings always at minimum had a balance between co-opted and full Board members, Clause D6 would be amended to allow for the co-option of a maximum of three persons.

He then provided details of the list of definitions of the terms used, consultation, and a risk management assessment.

Mr Zitron, Mr Anson and the Director of Housing provided detailed explanation on a number of points, including the implications of charitable status.

**The Portfolio Holder for Health and Well Being undertook to recommend that the Executive note the proposed rules of Carlisle Housing Association.**

HCG.18/02 CARLISLE HOUSING ASSOCIATION – PROPOSED  
TENANCY AGREEMENT

The Director of Housing presented report H.18/02 enclosing the final draft version of the proposed Tenancy Agreement to be adopted by Carlisle Housing Association (CHA).

The Agreement was presented in the form of an Assured (Non-Shorthold) Tenancy which was the standard type of tenancy offered by RSLs in mainstream lettings. As was normal practice in housing transfers, the actual content of the RSL Tenancy Agreement was very closely modelled on the Council's own Agreement.

The Director outlined the four principal areas of difference namely:

- a) "Right to Manage";
- b) "Rent to Mortgage";
- c) Service Charges; and
- d) Grounds for Possession.

Although the content of the proposed Tenancy Agreement was a matter for CHA to determine, the Council required to be satisfied that the proposed Agreement represented a closely comparable document to its existing Agreement before it formed part of the Offer documentation to tenants – subject to variations due to the requirements of the law governing RSLs and to any such variations being clearly highlighted to tenants.

The Director then provided details of consultation carried out to date, a risk management assessment and crime and disorder implications.

**The Portfolio Holder for Health and Well Being undertook to recommend to the Executive that the proposed Carlisle Housing Association Tenancy Agreement be noted, together with the action required in Section 1.4(c) of report H.18/02 in respect of service charges.**

#### HCG.19/02 THE 'OFFER' DOCUMENT AND PROCESS

The Housing Transfer Project Officer presented report H.22/02 concerning the proposed Offer to tenants and process. The final Offer would be briefer and more enticing to read, and would be accompanied by a supporting video and summary.

The Housing Transfer Project Officer indicated that the formal consultation requirements for the housing stock transfer were set out in Section 106 of and Schedule 3A to the Housing Act 1985. That process involved the City Council serving Stage 1 and Stage 2 notices on all of its secure tenants and introductory tenants.

The Stage 1 notice would set out the details of the transfer proposal, the likely consequences of the transfer for tenants and the effect which that would have on the Right to Buy. There was an obligation on the City Council to request the views of its tenants (allowing a reasonable period for the submission of such views) and to consider any representations made. If, as a result of any comments made, the Council proposed to change the terms of the offer, the revised terms must be set out in the Stage 2 notice.

The Housing Transfer Project Officer outlined the timetable for the formal consultation in Carlisle, together with the content and key points of the Stage 1 Offer document. She added that, should the transfer proceed, then all of the Council's secure and introductory tenants would become assured tenants of Carlisle Housing Association i.e. their rights would be protected except for the right to manage and the right to participate in a rents to mortgage scheme.

The Housing Transfer Project Officer then provided details of Carlisle Housing Association's commitments on regeneration.

In considering the matter, the Chairman commended all those involved for their commitment to the process and the considerable amount of work undertaken to date.

**The Portfolio Holder for Health and Well Being noted the progress on the development of the Offer document, the content of which would be included within a newsletter to tenants.**

The Portfolio Holder further undertook to recommend its approval to the Executive as the provisional substantive offer to tenants for referral to the Community Overview and Scrutiny Committee for comment. It would thereafter be presented in its final format to the Housing Consultative Group and Executive in April.

#### HCG.20/02 MEETING DATES OF THE HOUSING CONSULTATIVE GROUP

The Director of Housing tabled a provisional proposed timetable of LSVT-related Council meetings covering the period April – November 2002, requesting that Members confirm their agreement or otherwise to the dates suggested for meetings of the Housing Consultative Group.

The Housing Consultative Group requested the Executive to agree the list of meetings as appended to these Minutes.

[The meeting ended at 3.18 pm]

**HOUSING CONSULTATIVE GROUP**  
**4<sup>th</sup> MARCH 2002**

**LSVT-RELATED COUNCIL MEETINGS**

**PROPOSED TIMETABLE**  
**APRIL 2002 – NOVEMBER 2002**

<u>Date</u>	<u>In Council Diary?</u>	<u>Meeting</u>	<u>Key Purpose</u>	<u>Proposal</u>
Monday 8 <sup>th</sup> April	No	HCG	Pre-Final Offer discussion	Moved from 2 <sup>nd</sup> April
Monday 15 <sup>th</sup> April	Yes	Executive	Approve Final Offer	-
Monday 13 <sup>th</sup> May	No	HCG	Normal business	-
Monday 17 <sup>th</sup> June	No	HCG	Review Stage 1 feedback	-
<b>Monday 24<sup>th</sup> June</b>	<b>No</b>	<b>Executive</b>	<b>Review Stage 1 / Issue Stage 2</b>	<b>Agree date</b>
Monday 15 <sup>th</sup> July	No	HCG	Normal business	-
Wednesday 7 <sup>th</sup> August	No	HCG	Review ballot result	4.00pm
<b>Monday 12<sup>th</sup> August</b>	<b>No</b>	<b>Executive</b>	<b>Agree post-ballot action</b>	<b>Agree date</b>
Monday 16 <sup>th</sup> September	No	HCG	Discuss pre-transfer terms	-
Monday 30 <sup>th</sup> September	Yes	Executive	Discuss pre-transfer terms	-
Monday 7 <sup>th</sup> October	No	HCG	Discuss pre-transfer terms	-
<del>Monday 14<sup>th</sup> October</del> <i>fr</i>	<del>No</del> <i>11/10</i>	<del>Executive</del>	<del>Propose pre-transfer terms</del>	<del>Agree date</del>
<b>Tuesday 22<sup>nd</sup> October</b>	<b>No</b>	<b>Council</b>	<b>Approve application to dispose</b>	<b>Agree date</b>
Monday 11 <sup>th</sup> November	No	HCG	Normal business	-
Monday 25 <sup>th</sup> November	Yes	Executive	Approve final issues	-

Note: Meeting dates proposed after 12<sup>th</sup> August 2002 are provisional as they assume a positive ballot result.