

## MINUTES: PLYMOUTH COMMUNITY HOMES SHADOW BOARD

### Item

### Action To Be Taken By

Present: Shadow Board Members: Peter Ebsworth (Chair), Ken Foster, William Lean, Linda Macbeth, Sue McDonald, Elaine Pellow, Eddie Rennie, Jack Thompson (part meeting), Nigel Warn (part meeting), Christine Watts

Staff/Advisors : Rob Beiley, Andrew Cobb, Belinda Pascoe, Helen Ryan, James Savage, Gary Seabourne, Clive Turner (part meeting), Colin Walker

Tenant Services Authority: Steve Fox

Apologies: Zilpah Leahy, Louise Barnden

PE thanked Steve Fox (Tenant Services Authority) for his attendance.

### 1 Minutes of Meeting 13 January 2009

Agreed

### 2 Matters Arising from 13 January 2009

#### Page 2 Staffing (bullet 3)

Savills would submit a report on the appointment of various advisors to the Shadow Board in March 2009.

#### Page 4 North Prospect

The workshop facilitated by the Homes and Communities Agency took place on 3 February 2009. On 5 February 2009 a panel of residents and officers had selected Levitt Bernstein to undertake the North Prospect scoping exercise.

### 3 Presentation – Steve Fox, Tenant Services Authority

. Steve Fox explained that (please see presentation attached):

- the Housing Corporation had been subdivided into the Tenant Services Authority (TSA) and the Homes and Communities Agency,
- the TSA had been formed from the former regulatory arm of the Housing Corporation,
- the HCA would take on the investment functions previously exercised by the Housing Corporation,
- this separation of roles had been chosen to avoid potential conflicts of interest,

- the TSA aimed to make tenants central to all of its actions and to put tenants at the heart of its regulatory framework,
- the TSA would champion the needs and aspirations of tenants, leaseholders and residents,
- it would promote choice for tenants (including service delivery),
- it would challenge providers to meet or exceed the highest standards of organizational effectiveness,
- in future the TSA would regulate all providers of affordable housing,
- the TSA's regulatory powers would become effective in December 2009,
- Local authorities would be included in the regulatory regime in April 2010.

SF would speak on registration at the next meeting.

The Shadow Board thanked SF for his presentation.

#### **4 Post Ballot Project Plan**

BP would circulate a written update with the Shadow Board papers and provide a verbal report on the most immediate developments.

BP

#### Staffing:

- the TUPE protocol had been sent to Trowers. PCC/PCH would confer on the document. It would subsequently be circulated to the Trade Unions,
- a 'within scope' list containing the majority of the housing staff likely to transfer had been sent to Devon Pensions Service for an initial actuarial analysis,
- the list of 'within scope' support staff was due to be sent w/b 16 February 2009,
- PCC Human Resources was checking that the personnel records of the 'within scope' employees were complete,
- BP had started to prepare a post-transfer training plan.

#### Business Plan:

- the Business Plan was undergoing continual refinement and would be reviewed in depth during March 2009,
- potential funders would be visiting Plymouth in the near future.

#### IT:

- a review of IT throughout housing would start during February 2009,
- an IT strategy would be developed on the basis of the review,
- the working assumption was that PCC would provide IT

- support for at least 18 months after transfer,
- the development of an SLA for IT support (from PCC) and a specification for the finance system would begin shortly.

#### Accommodation:

- James Savage to report under item 7.

#### Registration:

- the focus was on 3 main themes: viability, governance and properly managed,
- PCH would submit a stage 1 report to the TSA in May 2009,
- the TSA would conduct a registration assessment visit in July 2009 (PCH's registration documentation would have to be ready at this time),
- the intention was that PCH's application for registration would be considered in September 2009.

#### Assets:

- AC to report under item 9.

#### SLAs:

- PCH would have a number of SLAs with PCC and vice versa,
- SLAs with PETRA and the PCC Anti Social Behaviour Unit were under discussion,
- the Corporate Procurement Unit was compiling a list of housing contracts.

#### Allocations and Mobility:

- the development and implementation of the choice based letting process was independent of the transfer,
- the system was due to become operational in November 2009,
- PCH and other RSLs would work with PCC in accordance with the Council's allocations policy,
- RSLs were required to operate an 'open' policy with regard to allocations, but it was normal that an RSL would not be requested to allocate properties to those that the association would not normally house.
- the Assistant Director (Housing Operations) would be invited to brief the Shadow Board on the system at the March 2009 meeting.

### Building Services

- the proposed delivery programme would be presented to tenants who had volunteered to join this workstream,
- the Shadow Board in March 2009 would receive a report on OJEU notices.

### Operations:

- a new tenancy agreement for post transfer new tenants was under discussion. The document would be brought to the Customer Focus Committee and then to the Shadow Board.
- a new handbook for tenants was under development.

### Internal Communications and Community Development:

- IPB had submitted their initial proposals on branding, these would come to the Shadow Board after further consultation,
- membership of the Interested Tenants' Network (ITN) was under review (some tenants had joined solely for the pre-ballot period),
- consultation events had been scheduled for March and May 2009,
- the PCH website was due to be discussed with IPB at the end of February 2009.

### Support Services

- staff within scope were being identified,
- a potential structure was under development.

### Governance:

- BP to report under item 8,
- DWA was preparing a training programme for Continuous Improvement Group members.

### Policy Development:

- the first batch of policies had gone for consultation; they would then go to committee and then on to the Shadow Board.

## **5 Section 25 Budget:**

- the analysis of expenditure would be accompanied by a written report at future meetings,
- the entry for Tenant Information and Handbook was the result of a special post ballot newsletter. The standard PCC

newsletter (i.e. not a Section 25 cost) would be used between now and transfer,

- AC accounted for an element of the Staff Secondment Costs. This item would fall when AC left the project, but Pre Transfer Salaries would due to the appointment of the Chief Executive and Finance Director.

## 6 Committee Feedback:

- the minutes of the Customer Focus committee would be circulated.

## 7 Interim Accommodation Proposal:

- the Accommodation Strategy would be brought to the Shadow Board in March 2009,
- the immediate priority was to find interim accommodation for the Stock Transfer Team, including the Chief Executive and Finance Director,
- a temporary relocation to Windsor House had been considered, but space within this building and within PCC premises in general was very limited. PCH would have to rent this space from PCC and there would also be costs for new power and data cables etc. These would be left behind when the team relocated again to PCH's permanent location and the organization would not benefit from this expense,
- there was currently an opportunity to move to a city centre location. The site offered the opportunity to create a 'PCH only space' in the run up to transfer and it also had the potential to become PCH's post transfer head office and provide a ground floor reception venue for tenants.

The Shadow Board resolved: **that officers should pursue option 2 (i.e. the move to rented accommodation in Princess Court).**

## 8 Board Recruitment Policy

- the policy set out the suggested skills and experience for those wishing to join the Shadow Board,
- PCH would provide training appropriate to new Board members' needs,
- Members sought clarification on the status of the Council nominees,
- RB explained that the identity of the Council nominees was a matter for PCC,
- the experience of the consultants and those within the sector was that Council nominees were normally serving Councillors,
- on occasion local authorities had nominated former Councillors (who had been serving Council nominee board members), who

had lost their seats in order that the association did not lose their experience.

The Shadow Board resolved: **to adopt the Board Membership and Recruitment Policy subject to further consultation on the Tenant Board Member recruitment procedure.**

#### **9 Principles of Asset Disposal:**

- the report contained a set of principles that could be used as a basis for making detailed decisions about the non-housing assets that should form part of the housing stock transfer,
- Savills and Trowers had advised that these were even handed and reasonable principles on which to start of negotiations,
- the objective was to give PCH sufficient control of the estates that it would maintain and manage and at the same time not to leave PCH with an undue burden,
- the Council's Lead Advisors were broadly happy with the document, although they would like further discussions on the disposal clawback provision,
- it was recognized that the potential West End Development might need a detailed agreement within the transfer document,
- members expressed concerns that PCH might become responsible for the upkeep of public parks and amenity spaces that were used by city residents in general,
- the current situation is that tenants are already contributing to the maintenance of public open space etc,
- officers had begun an exercise to determine the effect of putting the principles into practice and the early indications were that a significant number, probably more than 50% of open spaces would remain with PCC.

The Shadow Board resolved to:

- (1) approve the Asset Disposal principles set out in Appendix 1,**
- (2) authorize staff to use these principles as a basis for negotiations with Plymouth City Council,**
- (3) instruct staff to report back on the negotiations and the financial and other implications of applying the agreed principles.**

#### **10 Appointment of VAT Advisors**

The report was deferred to the Shadow Board in March 2009.

#### **11 OJEU Notices**

The report was deferred to the Shadow Board in March 2009.

## 12 Chair's Urgent Business:

- the draft rules for Plymouth Community Homes as a charitable industrial society had been submitted to the City Council's solicitors for their formal approval,
- the solicitors for the City Council had requested a number of minor amendments to the rules which Trowers were happy to recommend for acceptance by the Shadow Board,
- the one amendment of substance was an amendment requiring a three quarters majority of the general membership in favour of any changes to the rules for PCH (as opposed to certain defined rules as in the current draft),
- although this change would give the Council the right to veto any rule changes proposed by the PCH board in the future, this was not viewed as particularly problematic because it was unlikely that any proposed change would not already have fallen within the defined rules which required a 75% majority at present .

The Shadow Board resolved **to: accept the changes to the draft rules proposed by the City Council's solicitors.**

## 13 Date of Next Meeting

5.00pm, Tuesday 10 March 2009, Large Conference Room, HQ Building, Union Street