



BLACKPOOL COASTAL HOUSING

MINUTES OF THE SHADOW BOARD MEETING HELD ON WEDNESDAY 4TH OCTOBER 2006 AT 6.00pm, PROGRESS HOUSE

PRESENT:

Non-Executive Directors – Independent

Ron Bell JP
Pat Corless
Alan Marsh

Council Nominee Directors

Cllr Kathryn Benson
Cllr Lily Henderson MBE (part)
Cllr Jim Houldsworth

Tenant Directors

Irene Bishop
Gwen King
Bill Rogers
Alison Stringer
Doreen Wightman

IN ATTENDANCE:

Peter Jefferson	General Manager Designate
Maggie Cornall	Head of Housing Services Designate
Cyril Holland	Head of Property Services Designate
Neil Jack	Head of Finance Designate
Peter Whittaker	Company Secretary Designate

Mike Gaskell	Legal Advisor (Trowers & Hamlins)
Peter Cross	Independent Consultant (3E's)



	PART A – OPEN MEETING – 4th OCTOBER 2006
1	<p>Apologies</p> <p>Apologies were received from Michael Buchanan, Iris Oldham and Cllrs Carr and Rowson. Also from Cllr Henderson MBE who had to leave during Item 5 to attend a previously arranged appointment at the school of which she is a Governor</p>
2	<p>Declarations of Interest</p> <p>There were no items of interest declared.</p>
3	<p>Minutes of the Meetings of 20th September 2006</p> <p>The minutes were agreed as a true record subject to an amendment being made in the second sentence of Item 6 A 2 so that it refers to “its Board <i>and</i> Management” rather than “its Board of Management”</p>
4	<p>Matters Arising</p> <p>None</p>
5	<p>Customer Involvement</p> <p>1. Maggie Cornall presented an outline of Customer Involvement activity within Landlord Services. She described consultation structures and mechanisms in terms of past and present work and the future plans to engage with tenants who are not part of formal groups, especially young people. She dealt with a range of questions on such matters as tenant conference attendance, performance and output measures, budgets, costs and benefits.</p> <p>2. Jackie Granell from Indigo Consultants presented an interactive workshop on “Tenant involvement In The Housing Business” covering a range of issues including:</p> <ul style="list-style-type: none"> • The Nature of Housing Management • Involving Tenants • Regulatory Expectations. <p>A</p> <p>Agreed That the issues be noted and that Maggie and Jackie be thanked for their presentations.</p>
6	<p>The Management Agreement</p> <p>Mike Gaskell from Trowers & Hamlins, legal advisors, presented a progress report on negotiation of the agreement. He explained that most of the changes to Version 4 of the Agreement, which had been distributed to Directors, were minor in nature. The major outstanding issue related to pensions, where information from Lancashire County Pensions Authority was still awaited. He stated his feeling that the Council had made major movement on the issues that the Board had previously raised and which were set out in the “Further Action Report” that was tabled.</p>



He dealt with a number of detail questions, the major points of note being in respect of the following clauses:

Clause 6.8 - Changes to the Delivery Plan to be subject to a dispute resolution process if necessary

Clause 7.7 - Disputes in relation to the Annual Performance Plan to be subject to a dispute resolution process if necessary

Clause 16.5 – BCH may set its own Financial Regulations subject to Council approval

Clause 19.6 – The Council will not be obliged to take back BCH employees when the ALMO comes to an end but the practical effect of TUPE Regulations should ensure that they are accepted back in those circumstances

Clause 56.1 – The Council will warrant the information about staff transferring to BCH subject to a proviso to exclude liability for information wrongly provided to them by individual staff members. To assist in this all transferring staff will be asked to warrant the information that they have provided to the Council and are providing to BCH.

Clauses 56.15 & 56.16 – The pensions issue is not yet resolved – information is awaited.

Clause 64.2 – A change of 5% in stock numbers will now be needed before a review of the Delivery Plan becomes necessary

Clause 65.3 – The Council will not have a unilateral right to terminate the management Agreement and can do so only in the case of a material breach of the agreement

Clauses 65.5.2 & 6.10 – The onus will now be on the Council to prove that BCH is not providing Best Value. The Council will also have to tell BCH by what means they intend to measure Best Value and this is to be agreed at each Annual meeting

With regard to Clause 27.1, dealing with confidentiality, it was proposed that the Council should be asked to accept “reasonable endeavours” on the part of BCH to ensure that confidentiality is not breached in respect of the matters to which the clause relates.

Agreed that:

- A** The management Agreement be approved subject to
- (a) The Council accepting that BCH should be allowed to use “reasonable endeavours” in respect of meeting its obligations under Clause 27.1.
 - (b) The General Manager and Head of Finance agreeing arrangements in respect of pension provision and contribution requirements
 - (c) The General Manager and Management Team agreeing and completing the various Schedules and Annexes to the agreement
- B** Once they are satisfied that the provisions of Items 1 (a), (b) and (c) above have been met, and the details of the Management Agreement finalised, the General Manager and Management Team may execute the agreement on behalf of the company.



<p>7</p> <p>A</p> <p>B</p>	<p>ALMO Bid Progress and Future Meetings & Agendas</p> <p>ALMO Bid</p> <p>Peter Jefferson reported that the latest likely date for DCLG to announce successful bidders is now the end of October. If this occurs, and subject to a special meeting of the Council being held to give final approval, this would mean that BCH could assume its management responsibilities from 1st December 2006.</p> <p>Future Meeting Dates and Agendas</p> <p>18th October – Risk Management Workshop</p> <p>1st November – 2006-07 Half Year Performance Report Financial regulations</p> <p>15th November – Governance Issues Housing Needs Study Report (to be confirmed)</p> <p>Meeting dates for December are to be determined by Directors in the light of the timing of ALMO Bid announcements by DCLG. The Company Secretary is to produce a matrix of possible dates for Directors to indicate their availability. Elections for Chair and Vice-Chair of the Board would then take place at the inaugural meeting of the full Board.</p>
<p>8</p>	<p>Any Other Business</p> <p>Housing Stock Tour</p> <p>The Head of Property Services is to identify suggested dates for a second tour.</p>
<p>9</p>	<p>The Meeting Closed at 8-40pm</p>
<p>10</p>	<p>Date and Time of the Next Meeting</p> <p>Wednesday 18th October 2006, at 6.00pm Progress House</p>