

BASELINE
PREMISES

Royal Borough of Kensington and Chelsea
Kensington Town Hall, Hornton Street, Kensington, London, W8 7NX

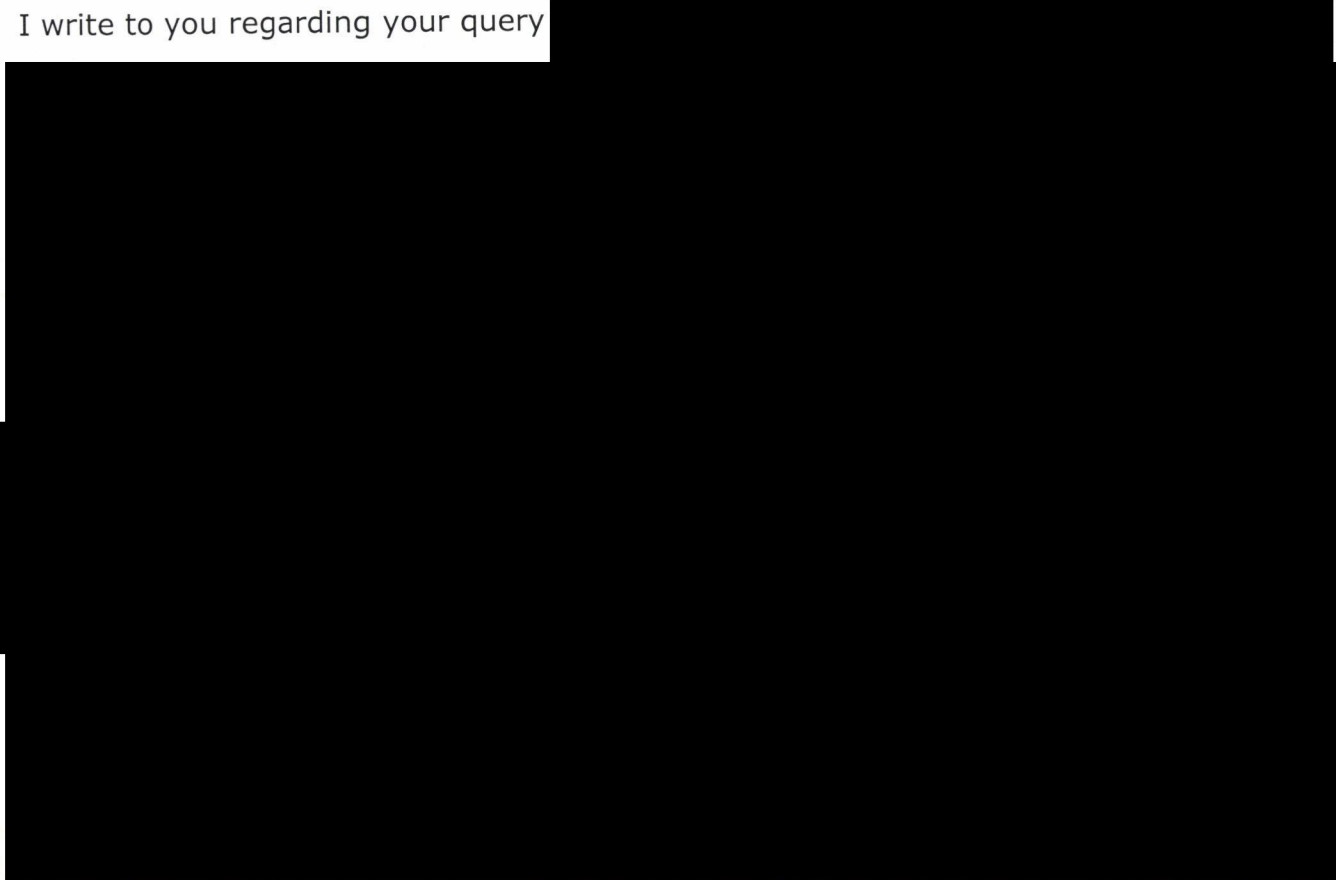
Town Clerk and Executive Director of Finance
Mr Nicholas Holgate

Director of Housing
Miss Laura Johnson

My reference: RBKC/
Your reference:
Please ask for: Laura Johnson
16th July 2012

Dear Mr O'Connor,

I write to you regarding your query



Yours sincerely

Laura Johnson

Director for Housing

Direct Line: 
Fax:
Email: laura.johnson@rbkc.gov.uk
Web: www.rbkc.gov.uk

**CORPORATE PROPERTY
DELEGATED AUTHORITY DECISION CIRCULATION COVER SHEET**

Author	Sarah Muluta
Line Manager	Lawal Zubairu

Report Heading: [REDACTED] Units 34, 36, 38 Baseline Business Studios, W11
[REDACTED] Unit 34 Baseline Business Studios, W11

Finance/Legal/Procurement Implications:

Name:	Dept:	Date Comments Req:	Date Comments Rec'd:	Seen by:
<i>Jennifer Muller</i>	<i>Legal – leaseholder extns/altns</i>			
<i>Peter Ashley</i>	<i>Legal – commercial leases</i>	12/07/2013	15/07/2013	PA
<i>Lyn Myers</i>	<i>Financial – GF</i>	12/07/2013	15/07/2013	LM
<i>Roberto Cusano</i> <i>Steve Mellor ASC</i>	<i>Financial & Resource Mgmt – ASC/HRA</i>			
<i>Mark Jones</i>	<i>ELRS/TTS Finance</i>			
<i>David McNamara</i>	<i>FCS Finance</i>			
	<i>Planning</i>			
<i>Peter Maddison</i>	<i>TMO consultation – HRA</i>			
<i>Andrew Lee</i>	<i>Corporate Procurement</i>			
<i>Ernie Raw</i>	<i>Procurement</i>			

Signed off by Author	Initial: SM	Date: 12/7/13	Approved to proceed by Manager	Initial: LZ	Date: 12/7/13
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Report to	DfCP&CS	Property Digest	Management Board	Leader's Group	Scrutiny	Cabinet
Date						
Deadline:						

Decision signed by DfCP/Section Head	Initial:	Date:	On CP Decision Tracker	425/1314
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March 2013 – Issue 1

Delegated Authority Decision Report

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Cleared by Finance (officer's initials)	LM
Cleared by Legal (officer's initials)	PA

Information relating to the financial or business affairs of any particular person
(including the authority holding that information)

CONFIDENTIAL PART B APPENDIX

UNITS 34, 36 & 38 BASELINE BUSINESS STUDIOS. W11



(REF: 425/1314)

1

1.1

1.2

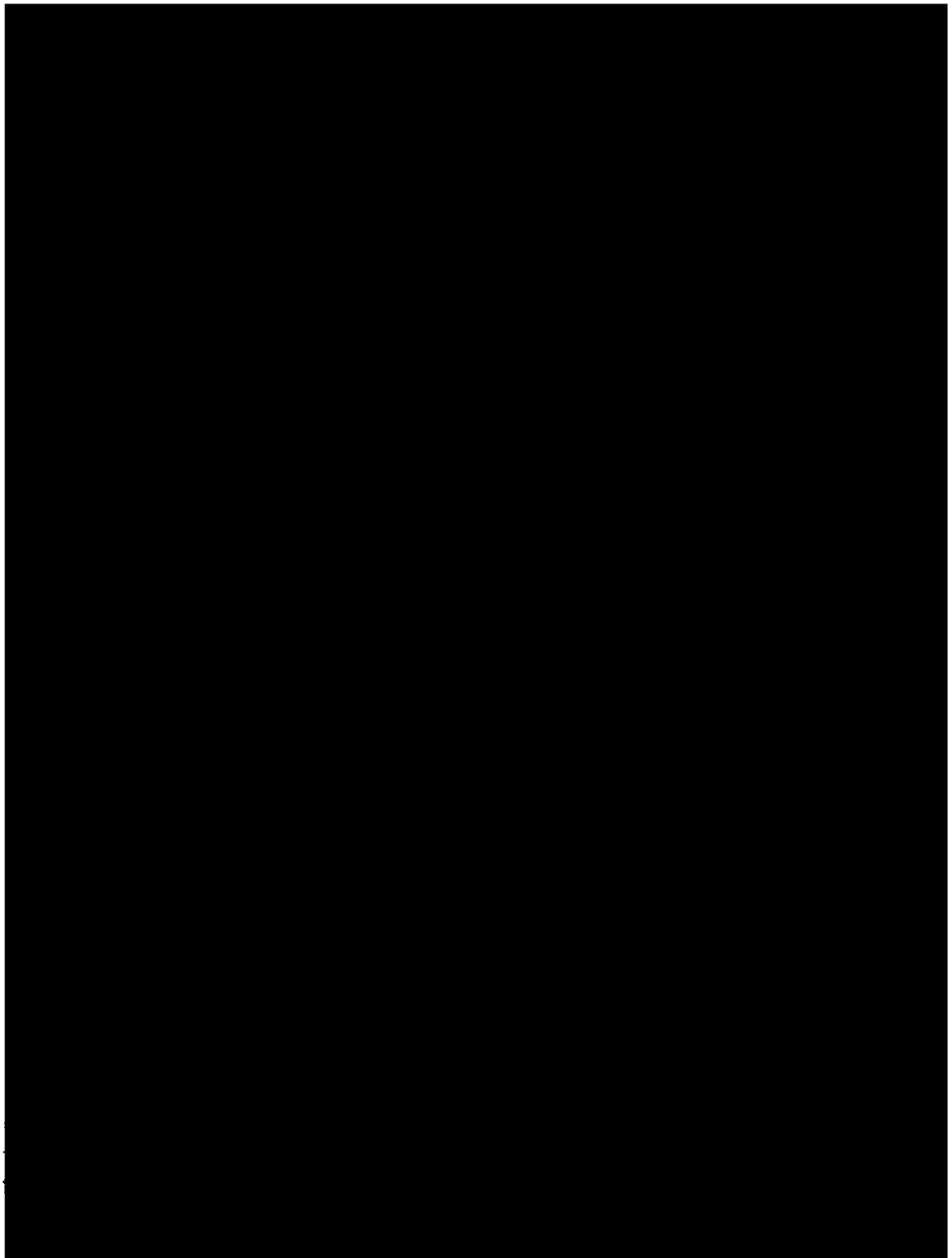
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Information relating to the financial or business affairs of any particular person
(including the authority holding that information)

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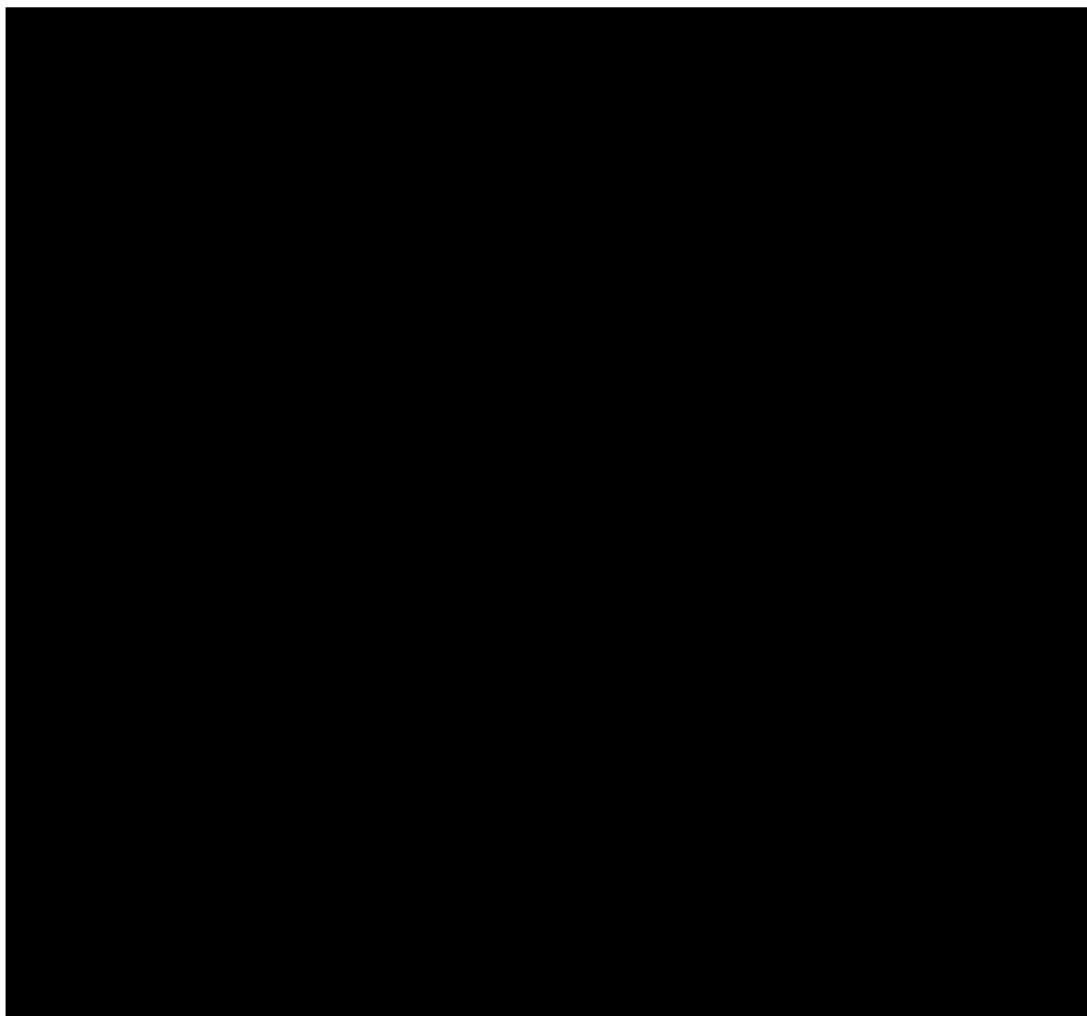
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3.1

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Information relating to the financial or business affairs of any particular person
(including the authority holding that information)



DELEGATED AUTHORITY DECISION REGARDING
UNITS 34, 36 & 38 BASELINE BUSINESS STUDIOS, W11

(REF: 425/1314)

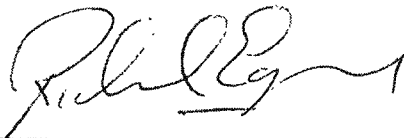
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Signed:

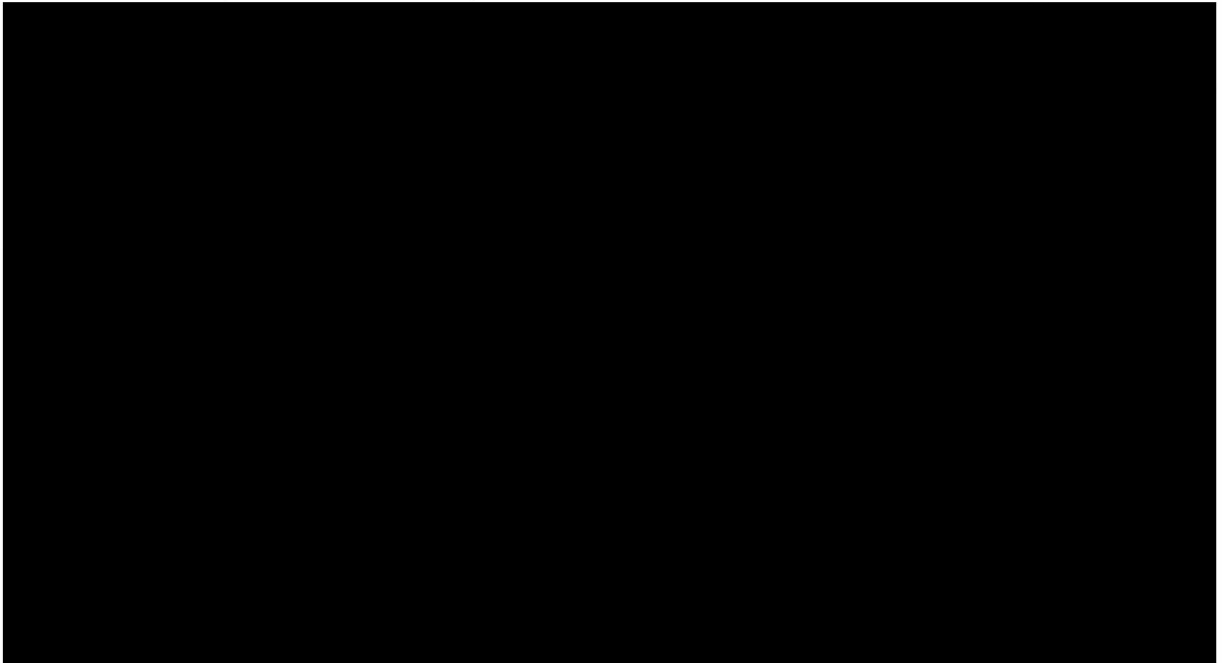


Interim Head of Investment and Development

Date:

7/AUG/2013

Dear Judith,



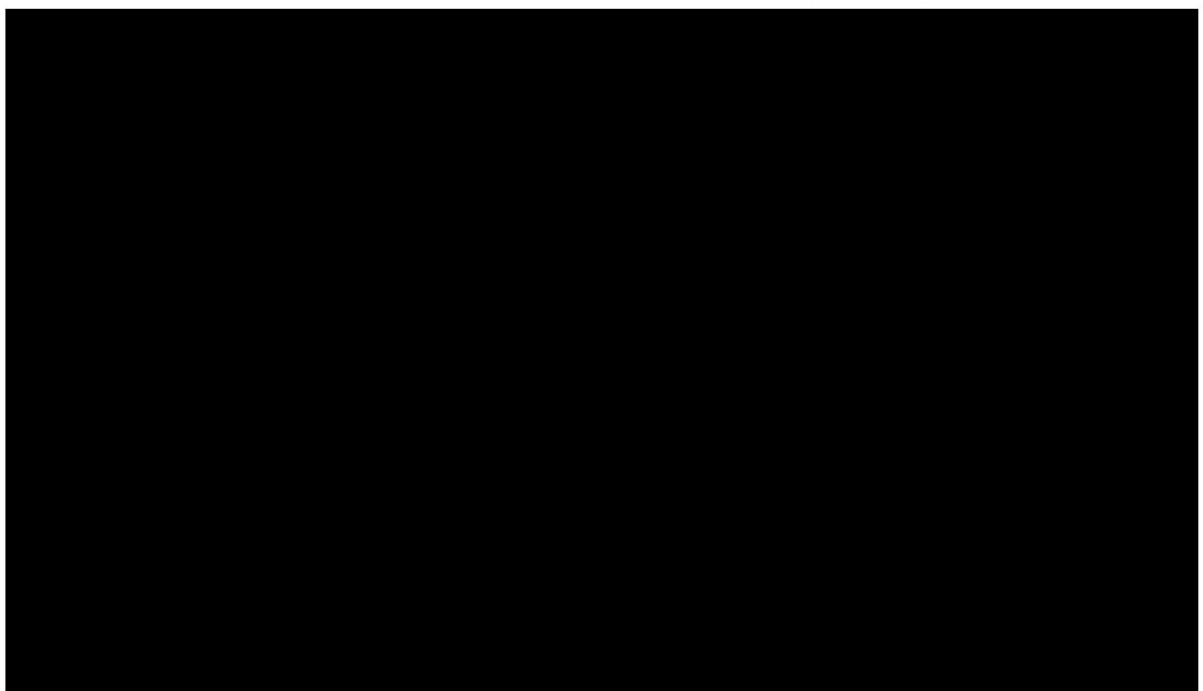
Kind regards,


Francis

----- Original Message -----

From: Fido
To: Francis O'Connor
Sent: Thursday, June 28, 2012 5:40 PM
Subject: Re: my recent complaint & enquiries

Dear Francis





The e-mail trail that you attach relates to when you asked me to lodge a formal complaint on your behalf, which I could not do, so I advised you how to go about lodging your formal complaint.


Kind regards.

Judith

Message Received: Jun 26 2012, 03:44 PM
From: "Francis O'Connor"
To: "Fido"
Cc:
Subject: Re: my recent complaint & enquiries

Dear Judith

Not unfair at all in my view. Please see the attached record of my last correspondence with you on this issue in September 2011.



Francis

----- Original Message -----

From: Francis

To: "Judith O'Connor"

Sent: Tuesday, June 26, 2012 7:17 AM

Subject: Re: my recent complaint & enquiries

Dear Francis

I think it is a little unfair of you to say that I was reluctant to investigate this matter. I was not reluctant, I did investigate so far as I was able but you yourself asked me to be careful how I went about it.

I agree with you that it does require further scrutiny.

Judith

Message Received: Jun 25 2012, 09:30 PM
From: "Francis O'Connor"
To: "Siobhan Rumble"

Cc: "Judith Blakeman"
Subject: Re: my recent complaint & enquiries

Dear Siobhan,

Thanks for the update you sent me on 12 June. Obviously I would prefer to see faster progress on this as I have been frustrated in my previous efforts to have this matter dealt with. However, if it takes a month, so be it.

Please be aware that Cllr Blakeman has already tried to clarify the background and history of the original agreement but was unable to make decisive progress, and the feedback she received from RBKC Property Services on the implementation of the arrangements suggests much confusion and misunderstanding on their side of it.

Kind regards,
Francis O'Connor

----- Original Message -----

From:

To: Francis O'Connor

Sent: Tuesday, June 12, 2012 4:20 PM

Subject: RE: my recent complaint & enquiries

Good Afternoon Mr O'Connor,

I am sorry that I have not got back to you sooner however I have a very busy schedule. I did meet with the company secretary on Thursday and discussed the allegations/concerns made

[REDACTED] This
into the roots of the original agreement. This
will obviously take a bit of time, as soon as I have conducted the investigation I will be able
to give you an update. I anticipate this will take approximately a month. If I can be of any
assistance in the meantime please do not hesitate to contact me.

Siobhan Rumble
Neighbourhood Manager - Lancaster West Estate
t: [REDACTED] f: [REDACTED] Blackberry - [REDACTED]
w: www.kctmo.org.uk
a: Grenfell Tower, Grenfell Road, London, W11 1TQ

From: Francis O'Connor [mailto:francis.oconnor@kctmo.org.uk]

Sent: Tuesday, June 12, 2012 2:05 AM
To: Siobhan Rumble
Subject: Re: my recent complaint & enquiries

Dear Siobhan,

I had hoped to have heard from you by now. Did you meet with Mrs Bosnjak-Szekeres on Thursday as planned, and are you now able to answer my concerns more fully?

Francis

----- Original Message -----

From: Siobhan Rumble
To: Francis O'Connor
Sent: Friday, June 01, 2012 11:30 AM
Subject: RE: my recent complaint & enquiries

Good Morning Mr Francis, I have just chased Angela, unfortunately she has been very busy, she has agreed to meet with me on Thursday morning, I will contact you following this meeting

Siobhan Rumble
Neighbourhood Manager - Lancaster West Estate
t: [REDACTED] f: [REDACTED] Blackberry - [REDACTED]

w: www.kctmo.org.uk
a: Grenfell Tower, Grenfell Road, London, W11 1TQ

From: Francis O'Connor [mailto:[REDACTED]]
Sent: Friday, June 01, 2012 3:21 AM
To: Siobhan Rumble
Subject: Re: my recent complaint & enquiries

Dear Siobhan,

I am disappointed that I still have not received any acknowledgement of the very serious complaint (below) I sent you more than a week ago.

[REDACTED]

I am concerned and frustrated also that telephone enquiries I made to my Estate Officer, Janice Jones, several weeks ago have not yet been answered either. These enquiries were regarding my need for double glazing for my home to provide some measure of sound insulation to protect against the excessive noise I will be subjected to from demolition and construction works on the KALC site.

[REDACTED]

[REDACTED]. I would greatly appreciate if estate office staff would devote a greater level of urgency to making the enquiries I asked for, and provide me with whatever feedback they can so that I can begin to make whatever arrangements prove necessary.

Yours Sincerely,

Francis O'Connor
----- Original Message -----

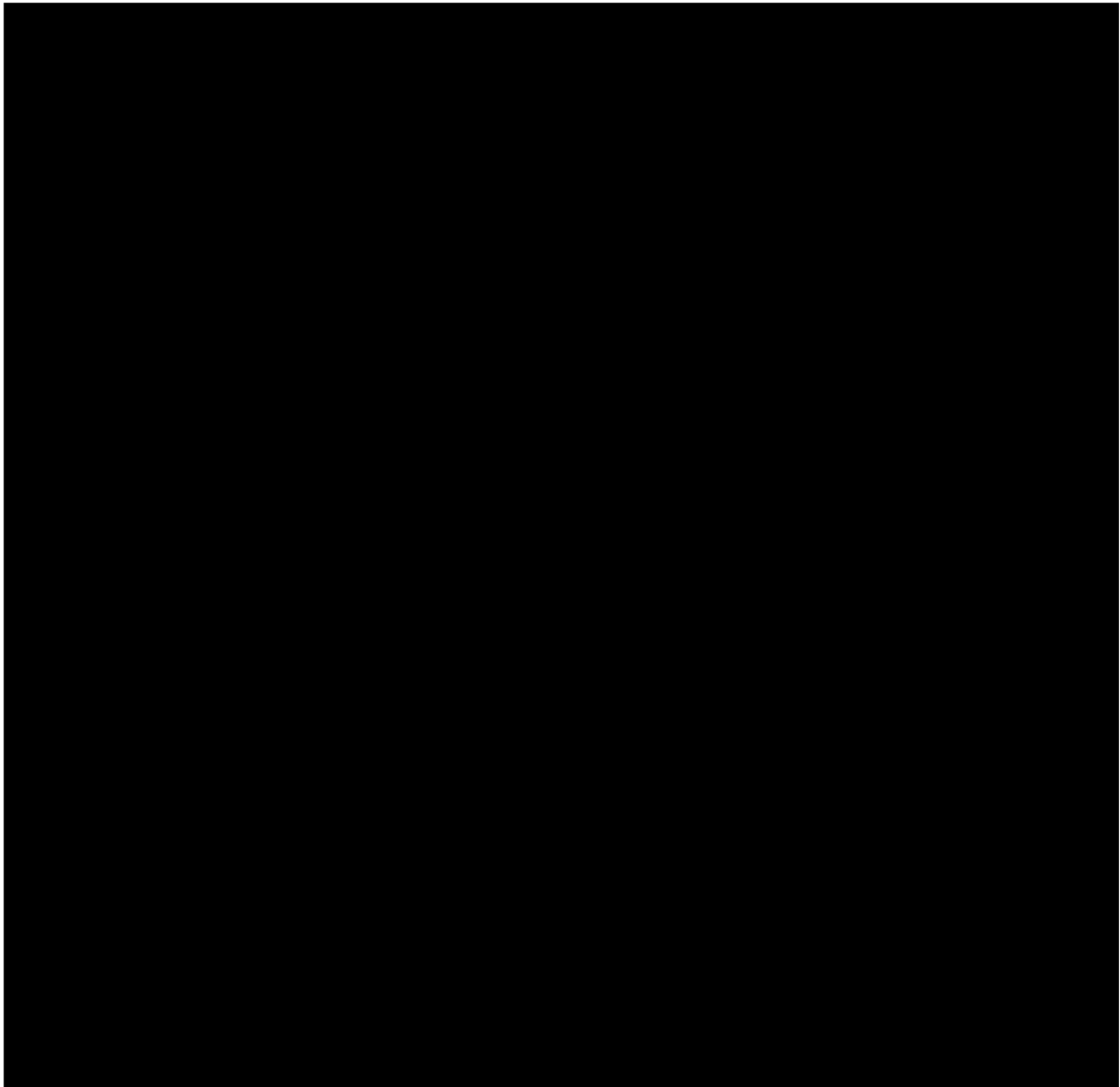
From: [Francis O'Connor](#)
To: [Siobhan Rumble](#)
Sent: Thursday, May 24, 2012 12:30 AM
Subject: Complaint Re: [REDACTED]

Dear Siobhan

Please see the links below which I promised to send you in support of the allegations I made against [REDACTED]

[REDACTED]

[REDACTED]



Yours sincerely,

Francis O'Connor

From: [REDACTED]
To:
Date: Jun 26 2012, 03:30 PM
Subject: Fw: [REDACTED]

• [Save Addresses](#)

[Show full header](#)

----- Original Message -----

From: Cllr Blakeman [mailto:[REDACTED]]
To: [REDACTED]
Sent: Saturday, September 24, 2011 9:37 AM
Subject: RE: [REDACTED]

Dear Mr. O'Connor

Thank you for your comments. I am afraid I too have been spending so much time on KALC, the Silchester Garage Development and the Westway SPD amongst other things that I have also not had a lot of time to give to this matter.

If you wish to lodge a formal complaint that this has not been properly investigated, can I suggest that you do so to [Mr. Holgate](#). Mr. Holgate is Mr. Clark's superior officer. I am afraid I cannot lodge a formal complaint in your name; it will have to come from you.

[REDACTED]

Kind regards.

Cllr. Judith Blakeman

From: Francis O'Connor [mailto:[REDACTED]]
Sent: 20 September 2011 06:00
To: Cllr-Blakeman
Subject: Re: [REDACTED]

Dear Cllr Blakeman,

Firstly, please accept my apologies for my failure to reply earlier to this message. As you know I have been kept very busy with KALC issues, [REDACTED]

[REDACTED]

[REDACTED]

Will you please raise this issue as a formal complaint in my name.

[REDACTED]

Yours respectfully,

Francis O'Connor

----- Original Message -----

From: Cllr.Blakeman@rbkc.gov.uk

To: [REDACTED]

Sent: Wednesday, August 17, 2011 10:48 AM

Subject: [REDACTED]

Francis

[REDACTED]

Judith

From: Clark, Michael: CP-Fin

Sent: 17 August 2011 10:43

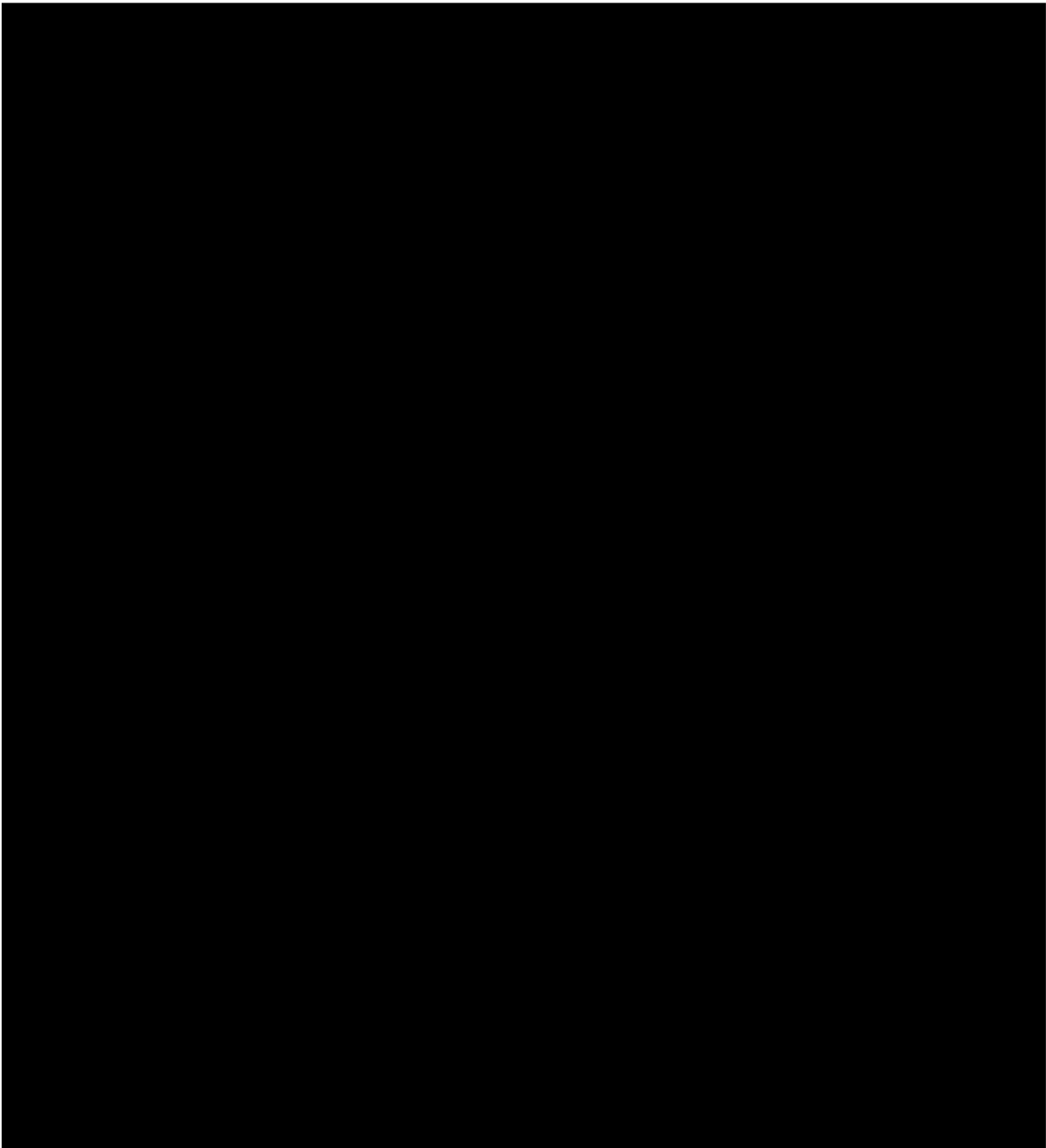
To: Cllr-Blakeman

Cc: Ainley, Carl: CP-Fin; Holgate, Nicholas: CP-Fin

Subject: FW: Cllr Blakeman - draft response. Let me know if you want me to send it directly.

Dear Cllr Blakeman

[REDACTED]



I realise this information may not give you all the answers you require, but I hope it assists. Mr Ainley or I would be very happy to meet up with you if you think there is further help we can provide.

Regards

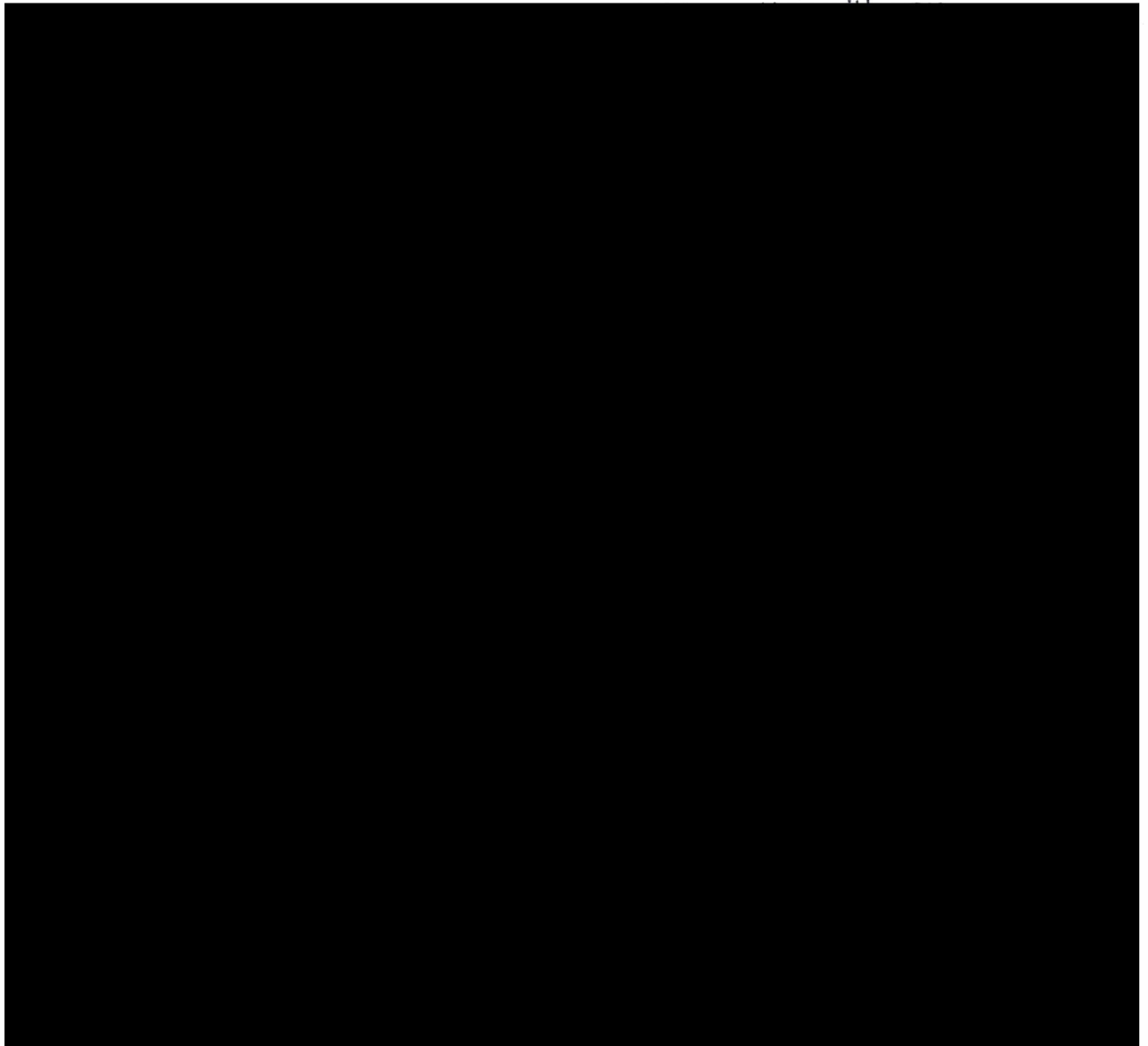
Michael Clark

Michael Clark B Com, MBA, MRICS
Director for Corporate Property
Mob: [REDACTED]

From: Holgate, Nicholas: CP-TownClerkDirFin
Sent: 14 March 2012 17:02
To: Cllr-Blakeman
Subject: RE: [REDACTED]

Dear Cllr Blakeman,

Thank you for your e-mail.



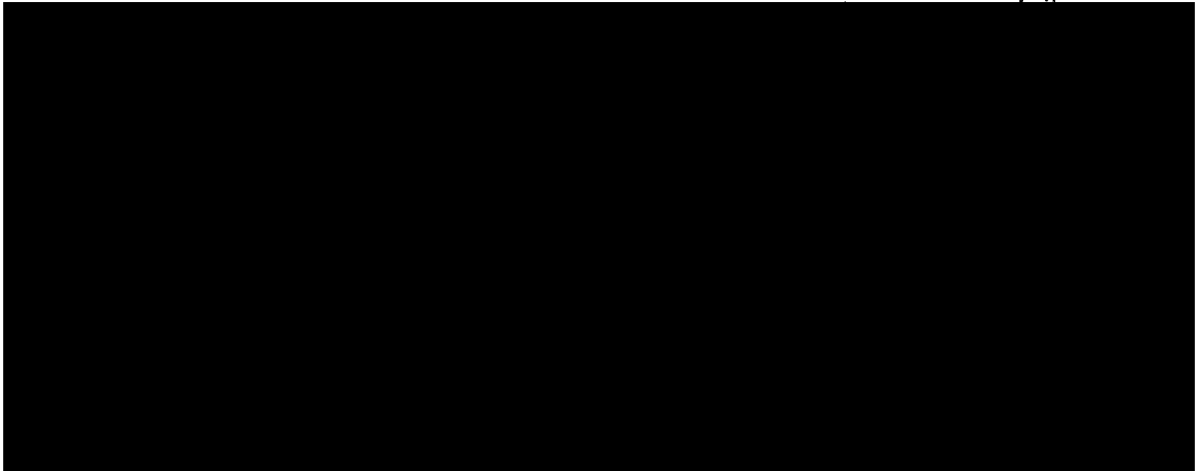
Nicholas Holgate
Town Clerk and Executive Director of Finance
[REDACTED]

From: Cllr-Blakeman

Sent: 14 March 2012 11:56
To: Holgate, Nicholas: CP-TownClerkDirFin
Subject: [REDACTED]

Dear Mr. Holgate

I draw your attention to the correspondence below with some trepidation.



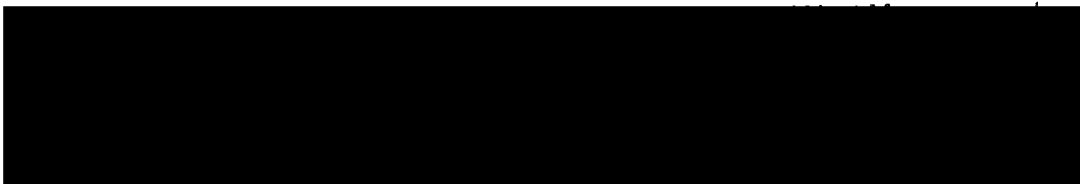
I would be very grateful if someone can now untangle this matter.

Kind regards.

Cllr. Judith Blakeman

From: White, Jonathan: CP-Fin
Sent: 20 December 2011 16:25
To: Cllr-Blakeman
Cc: Seal, Sue: CP-Fin
Subject: Re: [REDACTED]

Cllr Blakeman,



Please do not hesitate to contact me should you wish to discuss the matter.

Kind regards

Jonathan White MRICS
Corporate Property Department
The Royal Borough of Kensington and Chelsea
3rd Floor The Town Hall
Hornton Street
London W8 7NX
Telephone: [REDACTED]

Email: jonathan.white@rbkc.gov.uk

From: Cllr-Blakeman
Sent: 16 December 2011 13:00
To: White, Jonathan: CP-Fin
Subject: FW: [REDACTED]

Dear Mr. White

I understand you are dealing with Mr. Ainley's correspondence while he is away so I would be grateful if you can deal with the enquiry below.

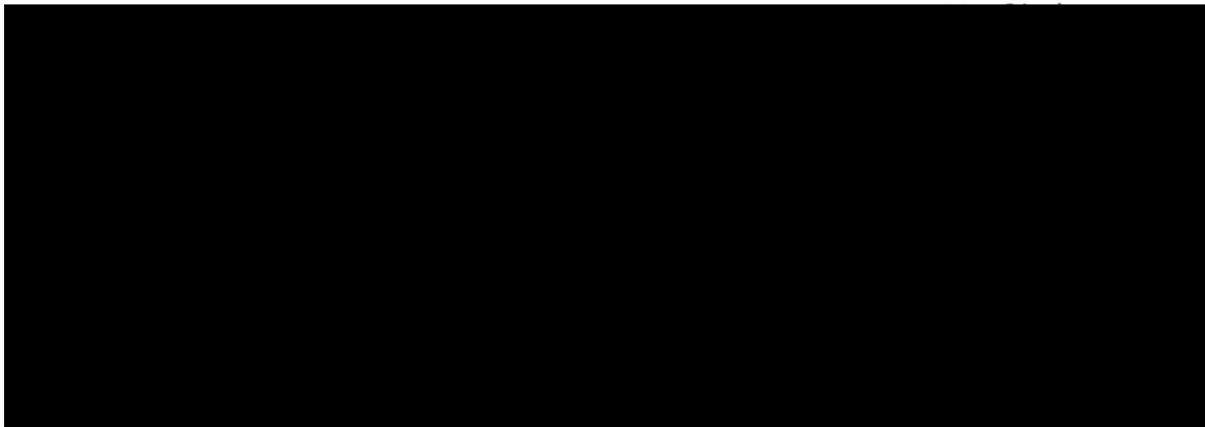
Many thanks.

Cllr. Judith Blakeman

From: Cllr-Blakeman
Sent: 16 December 2011 12:58
To: Ainley, Carl: CP-Fin
Cc: Clark, Michael: CP-Fin; [REDACTED]
Subject: RE: [REDACTED]

Dear Mr. Ainley

We have discussed this matter again at the Lancaster West EMB meeting.



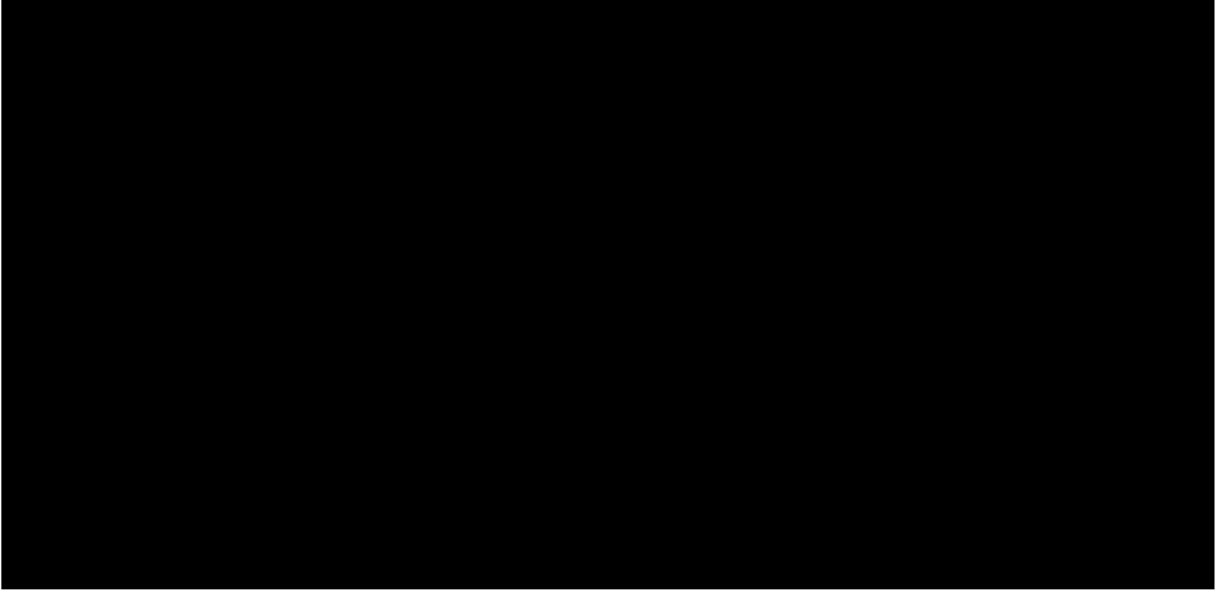
I look forward to hearing from you.

Kind regards.

Cllr. Judith Blakeman

From: Ainley, Carl: CP-Fin
Sent: 11 November 2011 11:53
To: Cllr-Blakeman
Cc: Clark, Michael: CP-Fin; [REDACTED]
Subject: RE: [REDACTED]

Dear Cllr Blakeman,

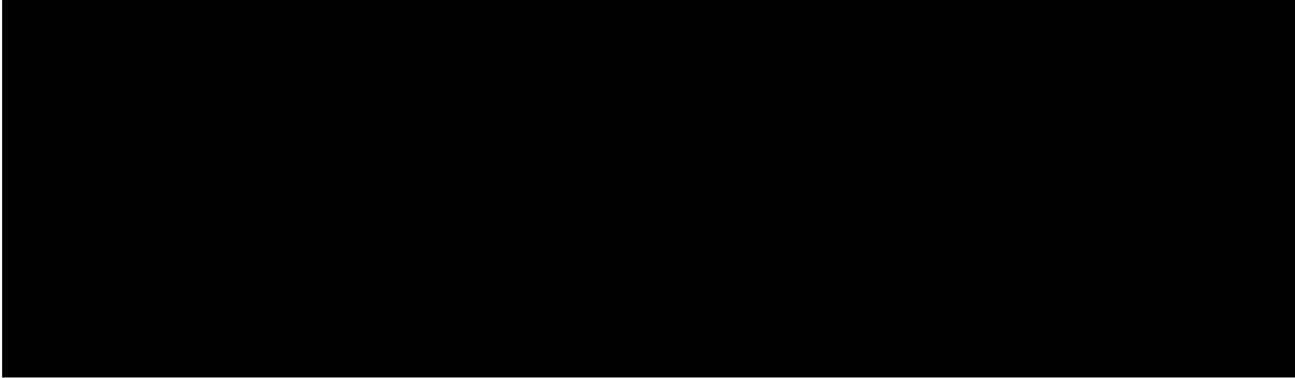


Kind regards
Carl

Carl Ainley
Head of Investment, Conferencing & Events
Corporate Property
Royal Borough Kensington & Chelsea
Tel: [REDACTED]
Mob: [REDACTED]

From: Cllr-Blakeman
Sent: 01 November 2011 11:02
To: Ainley, Carl: CP-Fin
Cc: Clark, Michael: CP-Fin; [REDACTED]
Subject: RE [REDACTED]

Dear Mr. Ainley

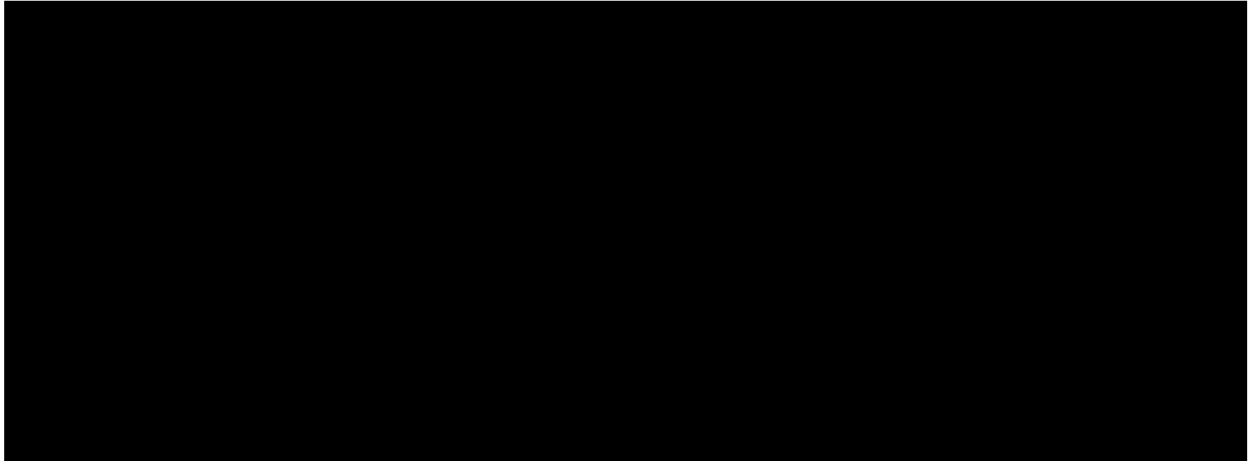


Kind regards.

Cllr. Judith Blakeman

From: Ainley, Carl: CP-Fin
Sent: 01 November 2011 09:49
To: Cllr-Blakeman
Cc: Clark, Michael: CP-Fin
Subject: [REDACTED]

Dear Cllr Blakeman,



Kind regards
Carl

Carl Ainley
Senior Corporate Property Manager
Corporate Property Department
Royal Borough of Kensington and Chelsea
Tel: [REDACTED]
Mob: [REDACTED]

From: Francis O'Connor [REDACTED]

To: Cllr Blakeman [REDACTED]

• [Save Addresses](#)

Date: Apr 01 2011, 02:26 AM

Subject: Re: [REDACTED]

[Show full header](#)

Dear Cllr Blakeman,



Sincerely,

Francis O'Connor

----- Original Message -----

From: [REDACTED]
To: [REDACTED]
Sent: Wednesday, March 30, 2011 9:13 AM
Subject: [REDACTED]

Dear Mr. O'Connor

Cllr. Emma Dent Coad, the Labour Group housing spokesperson and I will be meeting the Executive Director of Finance to discuss a number of matters relating to the Council's property portfolio - and I intend to raise the question

[REDACTED]

I will update you once the meeting has taken place.

Kind regards.

Cllr. Judith Blakeman

From: "Francis O'Connor" [REDACTED]

To: "Cllr Blakeman" <Cllr.Blakeman@rbkc.gov.uk>

• [Save Addresses](#)

CC: [REDACTED]

Date: Mar 04 2011, 07:21 PM

Subject: EMB Follies

[Show full header](#)

Dear Cllr Blakeman,





Sincerely,

Francis O'Connor

**The Royal Borough of Kensington and
Chelsea**



THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

**Key Decision Report dated 23 August
2006**

**For Decision by Councillor Thomas
Fairhead, Cabinet Member for Finance
and Property and**

**Councillor Nicholas Paget-Brown,
Cabinet Member for Regeneration,
Environmental Management and
Leisure**

**Report by the Director of Strategy and
Service Improvement**

**ESTABLISHMENT OF AN ECONOMIC
DEVELOPMENT AND REGENERATION
TEAM**

1. Introduction

- 1.1 I am writing to seek your approval to the establishment of an economic development and regeneration team, within the Policy and Partnerships Unit (PPU).

2. Background

- 2.1 From the financial year 2006/07, the Council will no longer be in receipt of central government funding for regeneration, with the ending of both its SRB and NRF programmes. Members recognised that if the Council wished to pursue a regeneration agenda to tackle the problems still faced in the more deprived areas of the Royal Borough, it would need to adopt a different approach.

- 2.2 Accordingly, a Cabinet Working Group on Regeneration was established, with the following terms of reference:

"To consider policies and actions to promote and support the ambition of residents in less affluent parts of the borough to improve their life chances, their standard of living and their communities".

2.3 The working group acknowledged that to co-ordinate this work, and to tackle worklessness, help people move off benefit and promote economic vibrancy in the Royal Borough, staffing resources would be needed. It agreed a recommendation that a team comprising the following posts should be established:

- a Building Stronger Communities Manager
- an Economic Regeneration Officer,
- an Economic Initiatives Officer
- an External Funding Officer

In order to signal a break with the past, when activities were funded by Government grant, the new team might be termed the "New Opportunities, Stronger Communities Team". Key objectives and tasks for their roles are set out below, and **draft** job descriptions are attached at Appendix A.

Building Stronger Communities Manager

- Develop, deliver and co-ordinate the regeneration activities across the Council and its partners, to maximise impact on areas of deprivation, and to foster ambition throughout the Royal Borough
- Provide high level policy advice on regeneration and economic development to the Council and its partners

Economic Regeneration Officer

- Create and maintain an attractive environment for business in the Royal Borough, and stimulate the demand for labour through:
 - *Recognising and meeting the needs of small businesses that wish to expand locally*
 - *Retaining existing business units and supporting the development of new affordable units locally*
 - *Promoting networking between businesses*
 - *Promoting local procurement*
 - *Developing a skilled local workforce*
 - *Supporting community-based initiatives*
 - *Working with incoming businesses to promote local recruitment and customised training to meet needs*
 - *Maximising economic development benefits from s.106 agreements*

- *Contributing to land use policies and decisions from an employment perspective*

Economic Initiatives Officer

- Improve the employment prospects of residents, fostering ambition, creating opportunities and tackling barriers which make it difficult for them to gain or retain employment through:
 - *Enhancing skills and training opportunities for local people*
 - *Strengthening networks of training providers and employers to help access funding, and identify clear routes into employment*
 - *Ensuring that local people have access to information about – and support to secure – employment opportunities*
 - *Supporting community-based initiatives*
 - *Negotiating local construction training initiatives through s106 agreements on major developments*
 - *Working with the new Jobcentre Plus to ensure that its policies and practices meet the needs of local people, and that its funding is used effectively*
 - *Building effective links with employers locally and in neighbouring boroughs*
 - *Developing strong links between efforts to improve benefits take up and efforts to move people off benefits and into work*

External Funding Officer

- Advise the Council on opportunities to attract funding, through various government programmes, the Big Lottery, the European Union and other funding sources;
- Identify specific opportunities, and prepare bids either directly or in partnership with others, to advance the Council's three key aims and the delivery of the Community Strategy
- Develop the Council's information base on external funding and its contribution to achieving the Council's objectives, to feed in to financial monitoring, business planning and value for money exercises.

2.4 It is proposed that the posts (excluding that of the Building Stronger Communities Manager) should be established for a fixed-term of three years in the first instance. This will allow time for the team to demonstrate what it can deliver, and allow Members an opportunity to review its effectiveness and value within a fixed time-frame.

2.5 It was agreed that this recommendation for staffing should be put forward to Councillors Fairhead and Paget-Brown, as a key decision report.

3. Establishing the Team

3.1 Where appropriate, posts will need to be formally evaluated. Adverts will then be placed, candidates selected for interview and appointments made. All staff can be accommodated within PPU's existing office accommodation.

3.2 The total annual cost (including overheads) of these four posts is estimated at £170,000 and it is proposed they are funded from the Economic Development Fund. The Economic Development Fund comprises annual surplus income from Baseline and Bletchynden Street business units and LABGI grant received from central government in 2005/06. One existing permanent part time post, which focuses on economic development, is already funded from this source and it is proposed to substitute this post with the proposed new Regeneration Manager post as a permanent position. It is proposed that the three other new posts be three year contract posts, although the intention is to secure long-term funding for these posts during this period, bidding for additional resources through the business planning process, as necessary.

3.3 There is already an officer in PPU working on economic development on a fixed-term contract ending September 2006, and it is proposed that this post-holder is invited to stay on. This will provide continuity within the office, and allow the post-holder to carry on with her existing range of tasks and contacts.

4. Financial and Legal Implications

4.1 The Group Finance Manager, Corporate Services confirms that the balance in the Economic Development Fund as at 1st April 2006 was £2,231,000 which comprises £2,182,300 of LABGI

grant and £48,700 the surplus income on the business units from 2005/06. It is projected that this annual surplus will be maintained for 2006/07 and future years, although it will depend on the success in securing a high level of occupancy of the business units. The cost of the permanent post that is currently funded from the income is £34,350 and this has been deducted from the surplus figure above.

4.2 There are no Legal implications.

5. Personnel and Equality Considerations

5.1 Staff will be recruited to the posts in line with the Council's normal recruitment policies and practice.

5.2 The work of the new team will focus on disadvantaged areas and communities, and will take particular note of the needs of the Royal Borough's diverse population.

6. Recommendation

6.1 I recommend you approve the establishment of a "New Opportunities, Stronger Communities Team" as outlined in this report, funded from the Economic Development Fund.

Tony Redpath
Director of Strategy and Service Improvement
16 August 2006

FOR COMPLETION BY AUTHOR OF REPORT

Date of first appearance in the Forward Plan: 12/06/06

Key decision reference identifier from Forward Plan:
02360/06/R/A.

Background papers: Paper to the Cabinet Working Group on Regeneration, 11 May 2006: "Taking Regeneration Forward in the Royal Borough" and Minutes of the Cabinet Working Party on Regeneration (Part B) held on 11 May 2006.

Contact officer: Christine Lawrence, Policy and Partnerships Unit
Tel: [REDACTED] **E-mail:** Christine.Lawrence@rbkc.gov.uk

FOR COMPLETION BY GOVERNANCE SERVICES:

Report published on:

Report circulated to: the Cabinet and Corporate Services OSC on:
.

APPENDIX A

Job Profile

Building Stronger Communities Manager

Responsible to:	Head of Regeneration and Partnerships
Other key contacts:	Senior officers across the Royal Borough; elected Members; external organisations from both the statutory and voluntary sectors; members of the Local Strategic Partnership; officers from the LDA, GoL and other governmental contacts
Location:	The Town Hall

Main purpose of job

- To develop, co-ordinate, monitor and review the regeneration activities of the Council and its partners, to maximise impact on areas of deprivation
- To provide high level policy advice on regeneration and economic development to the Council and its partners

Duties and responsibilities

- To identify the key geographical areas and/or communities where regeneration activity can have an impact, using local and national data, and establish key priorities and outcomes for future work
- To work with colleagues inside the Council and in partner agencies to plan and deliver interventions that achieve positive outcomes for deprived areas and communities
- To develop collaborative initiatives within the Council and with partners that align outcomes, targets, activities and funding in order to maximise the benefit to deprived communities
- To project manage specific initiatives
- To work with local communities and partner agencies to develop the capacity of local people to help them not only to identify problems but also to develop workable, sustainable solutions

- To work closely with colleagues in Property Services and Planning, to ensure that opportunities for physical regeneration also contribute to social and economic regeneration
- To advise elected Members, colleagues and partner agencies of changes in legislation or guidance from statutory bodies which relates to regeneration, economic development or neighbourhood renewal, identifying the implications and opportunities for the Royal Borough
- To negotiate and work in collaboration with government departments, regional agencies and local public and private sector partners to ensure that the Council maximises the resources available to invest in regeneration
- To service the relevant sub-group of the local strategic partnership that focuses on tackling worklessness and social deprivation
- To keep under review the delivery and improvement of mainstream services, to see where these can have the most significant impact on neighbourhood renewal and social inclusion
- To keep up to date with new initiatives regionally and nationally, and identify good practice
- To build strong relationships and attend relevant meetings, to ensure the effective representation of the Council and of the needs of the local area .
- To motivate, manage, lead and develop the staff of the New Opportunities, Stronger Communities Team
- To undertaking any other relevant duties, as may be required.

JOB PROFILE

Economic Regeneration Officer

Responsible to: Building Stronger Communities Manager
Location: Kensington Town Hall

Main Purpose of Job

To create and maintain an attractive environment for business in the Royal Borough, and stimulate the demand for labour locally

Main Responsibilities

- Identify and help to meet the needs of small businesses that wish to expand locally
- Promote networking between businesses
- Lead on consultation with businesses in the borough by running the Electronic Business Panel, keeping businesses informed of Council issues and encouraging their engagement in neighbourhood renewal.
- Investigate additional sources of funding for the Economic Development Fund through developing under-used council assets e.g. car parks and through Section 106 agreements.
- Work with others to develop a skilled workforce locally that can meet the needs of employers
- Supporting community-based initiatives
- Work with incoming businesses to promote local employment and customised training to meet needs
- Help to retain existing business units and support the development of new affordable business space locally
- Establish and maintain effective working relationships between the Kensington and Chelsea Partnership (KCP) Steering Group, partner agencies, local regeneration partnerships, the London Development Agency (LDA) and neighbouring boroughs.
- Develop future LEGL bids with appropriate partners, ensuring that the needs of RBKC businesses and residents are reflected

- Identify funding sources for economic development projects and initiatives (LDA, European, Big Lottery, charitable trusts etc) and where appropriate work with partner agencies and consortia to develop and submit appropriate funding applications.
- Help co-ordinate the delivery of the Work and Business objectives of the KCP's Community Strategy. Monitor and report progress on their delivery, and report on performance of work and business actions and initiatives in the strategy.
- Service any appropriate themed sub-groups of the KCP
- Assess large non-residential planning applications against economic development policy and section 106 possibilities including construction-training initiatives.
- Monitor the Council's Service Level Agreements with the Portobello Business Centre and any other funded agencies delivering relevant services
- Support the development of networks and forums whereby local partners and agencies can share best practice relating to economic development and neighbourhood renewal and the mainstreaming agenda.

JOB DESCRIPTION

Economic Initiatives Officer

Location: Kensington Town Hall

Main Purpose of Job

To improve the employment prospects of residents, creating opportunities and tackling barriers which it difficult for them to gain or retain employment

Main Responsibilities

1. Lead on the implementation of the action-plan from the LDA-funded research, including ensuring that there effective links between local employers and training providers
2. Build and maintain a strong relationship with the Job Centre Plus office in the north of the borough, ensuring that its services respond to local needs and are delivered effectively
3. Build effective links with employers locally and in neighbouring boroughs
4. Ensure local people have access to information, advice, guidance and support, which help them to enter training or employment, and where appropriate, commission and monitor such work
5. Supporting community-based initiatives
6. Establish and maintain effective working relationships between the Kensington and Chelsea Partnership (KCP) Steering Group, partner agencies, local regeneration partnerships and the London Development Agency (LDA)
7. Research and promote a "Pathways to Work" scheme, to help local people claiming incapacity benefit to access work
8. Build on the existing relationship with the LDA, participate in relevant working groups, and respond to consultation documents, to ensure that the needs of residents of the Royal Borough are adequately represented.
9. Help to support elected members in their roles on outside bodies, such as the Central London Partnership

10. Work with partner agencies and consortia to develop and submit appropriate funding applications for economic development projects and initiatives, which promote training and employment.
11. Service any appropriate themed sub-groups of the KCP
12. Help co-ordinate the delivery of the work and business objectives of the KCP's Community Strategy. Monitor and report progress on their delivery,
13. Support the development of networks and forums whereby local partners and agencies can share best practice relating to neighbourhood renewal, economic development and the mainstreaming agenda.

Job Profile

External Funding Manager

Responsible to:	Building Stronger Communities Manager
Other key contacts:	Senior officers across the Royal Borough; elected Members; external organisations from both the statutory and voluntary sectors; members of the Local Strategic Partnership; a range of funding agencies
Location:	The Town Hall

Main purpose of job

- To be the Council's principal adviser on opportunities to attract funding, advising on such opportunities available through various government programmes, the Big Lottery, the European Union and other funding sources;
- To identify specific opportunities, and to prepare bids either directly or in partnership with others, to advance the Council's three key aims and the delivery of the Community Strategy

Duties and responsibilities

- To Identify and make the Council and partners aware of funding opportunities available through government programmes, the Big Lottery, the European Union and other funding sources
- To identify and (where appropriate) lead on specific funding opportunities, preparing good quality funding submissions, that are deliverable and strategically relevant
- To build partnerships between the Council and other statutory, voluntary and private sector agencies in the Royal Borough and beyond, to facilitate joint project development and joint bidding for funding
- To keep an up-to-date register of all the funding applications submitted by the Council
- To set up and chair a new "external funding working group" to help co-ordinate the Council's efforts in this area, and to share expertise and good practice

- To ensure that the requirements of funders are met, with timely submission of any required returns or reports, and to build effective relationships with them
- Develop the Council's information base on external funding and its contribution to achieving the Council's objectives, to feed in to financial monitoring, business planning and value for money exercises.
- To derive any lessons or learning points arising from successful or unsuccessful attempts to attract funding, and to share and apply these in order to enhance the prospects for future success
- To attend relevant meetings, and to represent the Council and the needs of the local area effectively.
- Undertaking any other relevant duties, as may be required.

Gordon-Anderson, Paulette: CP-Fin

From: De Alwis, Deepthi: CP-Rev
Sent: 27 January 2005 10:03
To: Gordon-Anderson, Paulette: CP-Fin
Subject: RE: Customer No: 921019 - Lancaster West Management Association Limited

Thanks Paulette

-----Original Message-----

From: Gordon-Anderson, Paulette: CP-Fin
Sent: 27 January 2005 10:02
To: De Alwis, Deepthi: CP-Rev
Subject: Customer No: 921019 - Lancaster West Management Association Limited

Hi Deepthi

Please can you:
(a) Cancel invoice nos 10444844 and 10454701
(b) Cancel the recurring debt and close the customer account

Thanks

Paulette

Paulette Gordon-Anderson
Property Services
2nd Floor, Central Library
12 Phillimore Walk
London W8 7NX

Direct Line: [REDACTED]

Fax: [REDACTED]

LANCASTER WEST EMB – 28th September 2004

REPORT BY AREA MANAGER & NEIGHBOURHOOD DIRECTOR
(NORTH)

BASELINE BUSINESS STUDIOS 34,36 & 38

1.0 PURPOSE OF REPORT

- 1.1** To report to the Board on the financial commitment imposed upon the LWMA having entered into a Tenancy Agreement for the premises known as Units 34, 36 & 38 Baseline Business Studios, Whitchurch Road, W11.
- 1.2** To consider approval of a request from the Westway Project to sub-lease Unit 34 from LWMA.

FOR DECISION

2.0. BACKGROUND

2.1

2.2

2.3

2.4

2.5

3.0 UNITS 34, 36 AND 38 BASELINE STUDIOS

3.1

3.3

3.4

4.0 SUB-LET OF LEASES BY LWMA

4.1

4.2

4.3

4.4

4.5

4.6

4.7

4.8

4.9

5.0 FINANCIAL IMPLICATIONS FOR LWMA

5.1

5.2

5.3

5.4

5.5

5.6

6.0 RECOMMENDATIONS

6.1

FOR DECISION

DATED 8th April 2004

**THE MAYOR AND BURGESSES OF THE
ROYAL BOROUGH OF KENSINGTON
AND CHELSEA**

-- to --

LANCASTER WEST MANAGEMENT ASSOCIATION LIMITED

TENANCY AGREEMENT

-of-

**Units 34 36 & 38 Baseline Business Studios Whitchurch Road
London W11**

Gifty Edila
Director of Law and Administration
The Royal Borough of Kensington
and Chelsea
The Town Hall
Hornton Street
London W8 7NX

Ref: JM

THIS TENANCY AGREEMENT is made the 8th day of April 2004

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5.4

BOARD
MEETINGS

5.5

5.6

5.7

Lancaster West Estate Management **Board**

Meeting

Tuesday 26 May 2009 – EMB Club Rooms

7.00 p.m.

Agenda

- ✓ 1. Apologies *Curranham*
- ✓ 2. Minutes of previous meeting – if available *see present.*
- ✓ 3. Matters arising
- 4. Feedback from meeting with Council 15 May 2009
- 5. Appointment of external Chair for the EMB *Brennan*
- 6. AGM arrangements *Cope*
- 7. Any other business *Gdahl*

Panel: JB, DD, GL.

*July 4
newletter
who prints/updates?
who delivers*

*Ask ASKE to
draw up code spec.*

Lancaster West EMB Members as at May 2009

Patricia Venus



Ivis Wong



Keith Miles

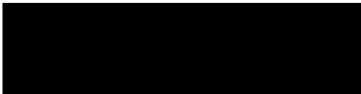


Teresa Miles

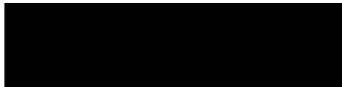


Dee Dainton
Grenfell Crèche
Lancaster West Estate
London W11 1TQ

Roslyn Sylvester



Vesna Mitic



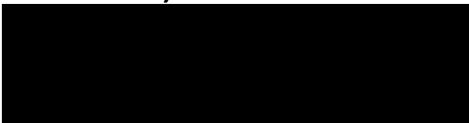
Geraldine Lord



Christine Richer



Robert Bryans



Dougal Steward



Council Nominees

Cllr. Judith Blakeman
Cllr. Dr. Iain Hanham
Cllr. Matthew Palmer

Judith Blakeman

From: <Lucas.Taylor@rbkc.gov.uk>
To: <Cllr.Blakeman@rbkc.gov.uk>
Sent: 26 May 2009 09:02
Subject: EMB Quorum

Good Morning Cllr Blakeman,

To answer your query from last week, the minimum for the EMB is 6 elected members.
The full definition is a quorum shall be 10% of the membership or fifteen members,
whichever is the less, subject to an absolute minimum of six members.

I hope this is able to answer your question.

Kind Regards,
Lucas Taylor

Royal Borough of Kensington and Chelsea
Town Hall | Hornton Street | London | W8 7NX

The Royal Borough of Kensington and Chelsea.
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from your computer.

26/05/2009

MET00040869/54
MET00040869_0004

19 May 2009

To: All Members of the Lancaster West Estate Management Board

Dear Colleague

BOARD MEETING 26 MAY 2009

Further to my recent e-mails (to those who have an e-mail address) I am enclosing an updated agenda for the meeting, together with copies of CVs obtained by the Council from individuals who have expressed an interest in the short-term appointment of an independent, external (not "eternal"!) Chair of the Board.

Kind regards

A handwritten signature in black ink, appearing to read 'Judith', with a stylized flourish at the end.

Councillor Judith Blakeman

**Lancaster West EMB/RBKC Meeting
15 May 2009**

Cllr. Blakeman
Laura Johnson
Pam Sedgwick
Geraldine Lord
Dee Dainton

Tony to write to Board members with copies of CV's to invite them to board meeting.

Agenda:

- 1) Appointing a chair of the board
- 2) Membership drive
- 3) AGM by June
- 4) Agree to have an EGM quickly afterwards to agree to a change to the constitution

Item 1

- PS to discuss constitution of EMB with Legal and report back to EMB board.
- PS to send out performance of board requirements so the Council can be clear what needs to be happening for the EMB board to be working correctly.
- RBKC to give EMB board reps 4 weeks from 15/05/09 to hold a quorate board meeting.
- EMB to appoint an independent chair from the CVs RBKC provided.
- RBKC agree with representatives of the EMB board that the council will give the EMB 6 months from the next board meeting to prove to the Council that they can hold board meetings and conduct EMB business.
- Meet chair and representatives of EMB in September and November to review progress.
- PS to undertake review of governance of EMB and share scoping with EMB representatives and results of reports undertaken by TMO reported at the same time to the EMB board.

Item 2

- EMB to undertake a membership drive, to be agreed with new chair.

Item 3

- AGM required by June, PS to advise what this means if this doesn't happen.
- EGM needs to happen straight after to agree a change to the constitution; again, PS to advise if this can't be convened.

Plan B

- If EMB doesn't manage to hold a board meeting to appoint an independent chair or get any new members, the EMB would go back to TMO in the first instance and then its future management would be reviewed by RBKC.

Cllr Judith Blakeman

Housing Health and Adult Social Care
Kensington Town Hall, Hornton Street, LONDON, W8 7NX

Chief Housing Officer
Ms Laura Johnson

RECEIVED
29 APR 2009



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Councillor Judith Blakeman
[REDACTED]

24 April 2009

Dear Councillor,

Over the last few weeks it has come to my attention that there are a number of areas of concern regarding the governance of the EMB. I understand that your chairman has resigned and as yet no replacement has been found, several Board meetings have been cancelled at short notice, and, as yet no Annual General Meeting has been held.

This is of serious concern to the Council as we consider strong governance in any organisation to be key to delivering good services.

In light of these issues and the ongoing discussions between the Council and the EMB regarding its future, I propose that the Council should undertake a review of Lancaster West management arrangements. Pam Sedgwick and myself would very much like to meet your representative to discuss how this may be taken forward, there are provisions within the management agreement to trigger a review but if we can agree the scope and format between us hopefully formal processes can be avoided.

We are keen to meet at the earliest opportunity as this state of affairs is extremely unsatisfactory and we would wish to get moving towards a solution as soon as possible. Could you contact my PA, Lucas Taylor to arrange a suitable time.

I look forward to meeting you,

Yours sincerely,

Laura Johnson
Interim Chief Housing Officer

Telephone: [REDACTED]
Fax: [REDACTED]
Email: housing@rbkc.gov.uk
Web: www.rbkc.gov.uk

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MET00040869_0001



LANCASTER WEST ESTATE MANAGEMENT BOARD

ESTATE OFFICE GRENELL TOWER LONDON W11 1TQ

MOB: [REDACTED]

17/4/09

Dear Colleagues

Over the last few months I have been [REDACTED] and I have been advised [REDACTED] as combining the two together [REDACTED] so therefore I am taking there advice and standing down as from now.

Yours Sincerely

A handwritten signature in purple ink, appearing to read 'Keith Miles'.

Keith Miles

Cllr-Blakeman**Subject:** FW: EMB Meeting

From: Tony Ohara [mailto:tohara@kctmo.org.uk]**Sent:** 15 April 2009 09:57**To:** Cllr-Blakeman**Cc:** Enid Bailey**Subject:** RE: EMB Meeting

Hi Judith

It would appear that Enid as the administrator of the meetings (generally) is not being kept abreast of Board Members diaries and is given a date for the meeting, then apologies are received which renders the meeting useless, then a new date is set and then the same thing again....ad infinitum.

As you can imagine it very frustrating for us as the Board members in their wisdom automatically assume inefficiency on our part - which isn't always the case, and Enid has been the victim of some verbal abuse when in fact she is the innocent party here - naming no names but Councillor Palmer was particularly vicious at one point although later apologised.

I think as a Board we need to gather and plot a year's worth of meetings - so I would suggest that when Keith decides upon the next date everyone brings their respective diaries and we programme accordingly and everyone is aware and no more excuses/confusion can arise. We could arrange this via email voting to get an agreed date and then that way it should reduce further upset.

As I stated at the last unquorate meeting I do not really see my role here as telling the Board what way to behave or to conduct their business as I have been so busy attempting to get day to day operations and performance up to scratch - which in itself has been difficult - I've never met a group of people/staff so unwilling to embrace change and up their game - and unfortunately I see the Board's behaviour in a similar manner. The Board need to lead by example and if this doesn't happen soon I fear that it will basically fall apart and this is something I would rather not see happen as it does effect the staffs performance as well.

I'm sorry I can't be more positive but the Board need to get their respective acts together and then hopefully an easier and more straightforward life for all will flow from that.

If I can do anything practical in the meantime do let me know.
Best regards

Tony O'Hara
Area Manager - Lancaster West Estate
Grenfell Tower
Grenfell Road
London W11 1TQ

T: [REDACTED]
F: [REDACTED]
www.kctmo.org.uk

From: Judith Blakeman [mailto:[REDACTED]]**Sent:** 14 April 2009 17:00**To:** Tony Ohara

15/04/2009

MET00040869/59
MET00040869_0009

Subject: EMB Meeting

Dear Tony

Is the EMB meeting tomorrow night cancelled? Dougal has just rung me to let me know that it has been cancelled.

Is this official? I have told Dougal to let the other councillors know if this is the case.

Why are the meetings such a complete muck-up (she says, politely)?

Judith

15/04/2009

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MET00040869_0000

ESTATE MANAGEMENT BOARD
LANCASTER WEST ESTATE

TITLE OF MEETING EMB – BOARD

Date: Tuesday 17th March and Wednesday 1st April 2009

15th April

Venue: St-Clements and ST-James Parish Office

*Agm last Tues in
Day.*

1.Keith Miles (KM)

Board Member (Chairperson)

2. T. Miles (TM)

Board Member (Secretary)

AGENDA

1: EMB Constitution

2. Business Plan

3. Dougal Steward

Judith Blakeman

From: "Tony Ohara" <tohara@kctmo.org.uk>
To: <Cllr.Blakeman@rbkc.gov.uk>
Cc: <Cllr.Palmer@rbkc.gov.uk>; <Cllr.I.Hanham@rbkc.gov.uk>; "Sheila Belgrave" <sbelgrave@kctmo.org.uk>; "Nigel Moore" <nmoore@kctmo.org.uk>
Sent: 17 March 2009 15:48
Subject: RE: Lancaster West EMB Meeting

Dear Judith

Many thanks for the email of this morning and apologies for the delay in getting back to you but I have been involved in the Repair Reprocurement process this week and have been rather tied up as a result.

I would concur with your concerns however due to the time constraints placed upon me I find myself unable to fully respond to all your concerns however for your convenience I have included updates beneath each of your queries below, highlighted in blue, for ease of reference, as I will unfortunately not be able to attend the meeting tonight due to prior arrangements.

Dear Tony

Cllr. Palmer and I have had a quick discussion this morning about tonight's meeting. We note that the agenda is vague and we wish to ensure that we have a positive meeting that will enable us to begin to bring the EMB and its Board into a position where it is again fit for purpose.

Some of the matters that we need to consider are:

Business Plan

Some information and action that is required before the Board can draw up a realistic Business Plan:

The Board needs:

- a comprehensive, accurate and up to date financial report
- With regards to a comprehensive financial report is quickly nearing end of year and as you can imagine the Finance Department and Enid Bailey are working on ensuring all invoicing and accruing occurs before the end of the fiscal year. I have however asked Clare Davis to see if she can generate an up to the minute account for this evening's meeting and forward it to Enid for circulation.
- a draft improvement plan
- I have been looking closely at the operational aspects of the Lancaster West Estate Office and considering ways to build upon the Report Sheila tabled at the EMB Meeting on 27 January 2009 with regards to Service Improvement.
 As you know, my concerns and attention for the most part, have been spent upon day to day improvements within the Office and attempting to bolster what was a highly demoralised team following the previous Area Manager's departure. However, Sheila Belgrave and myself have not been idle on a more strategic level and I will be meeting with Elaine Upton of PDW Ltd, a consultant specialising in Housing Management and Improvement, early next week with a mind to Lancaster West and a specific Service Improvement Plan.
- clear details about current staffing arrangements

17/03/2009

MET00040869/62

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- The staffing establishment remains unchanged with the exception of the vacancy of the Senior Estate Inspector, and Deon Wilks fulfilling Alan Hunter's position post his resignation as a Housing Officer.
- a report on what is happening at the Tenant Resource Centre and the EMB Club Rooms
- Works are currently underway at the TRC. The previous Area Manager failed to make much progress pre his departure however in recent weeks I have arranged for a gas boiler to be fitted and connected to the mains and works are now fully underway on the refurbishment of the kitchen and interiors of the centre.
- EMB Club Rooms are currently being used regularly by the Arabic shcool and we now have an Outreach Youth Service working from the rooms on a Tuesday evening.
- information about when and by whom the decision was taken to go for the *Right to Manage*
- I am afraid that you will have to approach the Chair for information relating to this query.
- a report on the implications of and process for progressing the *Right to Manage* application.
- I also feel that this is something that would be better arranged in discussions with the Chair and RBKC .

Action to improve the governance arrangements of the EMB, including:

With regards to the governance issue of the EMB the Office Manager can provide the current membership and I do believe that the Chair has given some thought as to a membership campaign and I would advise that you seek to discuss this with him as soon as possible.

- an up to date and accurate membership list
- an early membership campaign, as membership is very low
- changes to the Constitution that, at the very least, provide for co-opting up to three outside experts to the Board, at least one of whom must be a financial expert; and a variation of the process to convene an extraordinary meeting. These changes will have to go for approval to the AGM.

All residents need:

This will of course be arranged in a timely and coherent fashion.

- to be sent notification of date and venue of the AGM immediately, in writing, including in Arabic
- full details of the Board election process and all other matters to be considered at the AGM
- to be able to join at the AGM if they have not been picked up earlier during the membership campaign.

I trust this of use to you and again I apologise for the length of time it has taken me to respond.

Best regards and I trust this evening's meeting will be successful.

Best regards

Tony O'Hara
Area Manager

BRIEFING ON HEATING AND HOT WATER CHARGES.

Historical position: heating and hot water charges in 2006

In 2006/07, energy prices increased sharply. In fact, they had increased by 250% - 300% since 2004. The TMO had only passed on some these increases and then reached a position where they were not able to continue to absorb any elements of the costs.

The cost of heating and hot water to residents increased by around 60% - firstly because energy prices had increased anyway, but secondly, the TMO had not passed on an increase for some time, and a decision was taken by the Council and TMO that this needed to be recouped over six months.

At the time, there was reason to believe that once the backlog had been recouped, energy prices would have fallen and it was likely that the price could be reduced. This later proved to be the case.

A 'hardship' fund was put in place to assist those who were most severely affected. There was a finite budget to alleviate hardship – the TMO put in £10,000 and the Council contributed a further £10,000. (At the time, Cllr Fairhead pointed out that the time that this decision was open to challenge). The money was used to 'cap' the increases of the most severely affected and the general principle was that no-one should be paying more than £30 per week for their heating and hot water charge.

Current position

In 2007/08 the TMO's gas procurement agents, Procurement for Housing, secured a contract price that was in the region of 43% **less** than that obtained in 2006/07. Unfortunately, when the contract was renewed for 2008/09 the best price that could be secured was 83% higher than that for the previous year.

However, when the 2008/09 price is compared to the 2006/07 price the net increase is just under 3%. The exact figures, per kilowatt hour, are as follows:

01/08/06 - 31/07/07	3.102p	per kilowatt/hour
01/08/07 - 31/07/08	1.731p	"
01/08/08 - 31/07/09	3.189p	"

This is a difficult point to communicate, because the contract prices have fluctuated so much. **However, a 3% increase over two years is considerably less than the price rises faced by ordinary domestic customers over the same period.**

• Hardship fund for 2009/2010

It would be difficult to justify a hardship fund for 2009/10. In 2006, there was a specific reason: a very high increase in energy costs, plus the need for the TMO to recoup costs that had not been passed on for some time. In these circumstances, a hardship fund was justifiable for those who were the most severely affected, despite the fact that the Council's contribution to the fund could have been challenged.

However, for 2009/10, those residents who had their increases capped because of the 'hardship' fund are now **paying less** than they were at that time.

Conclusion

The danger of repeating the approach taken in 2006 is that it would:

- i) be difficult to justify
- ii) introduce a precedent. The situation in 2006 was a 'one-off'. The current situation is not.

Rent increases

There is concern from members about the level of rent increase this year, which is an average 6.58% across our rented stock. Firstly, you might want to know that this is broadly in line with the national average of 6.2% (according to Inside Housing). The rise is this high because the formula that Councils are expected to use to set rents is based on last September's inflation figure of 5%.

There is an expectation that local authorities adhere to a rent restructuring policy in order to achieve convergence of rents. Originally the convergence date was set at 2011/12 but has now been put back to 2023/24. This decision was taken by Government in order to prevent higher rent increases being set.

For each authority, the Government sets a guideline rent each year which sets the assumed average rent level to be collected in that authority. The level of housing subsidy paid to each authority assumes this level of rent income will be collected. In 2009/10, the level of housing subsidy for RBKC assumes an average rent increase of 6.1%.

The actual rents charged are determined locally and are based on a complex formula. One of the key elements of the rent restructuring formula and in the national calculation for housing subsidy is the RPI in the preceding September. In September 2008 the RPI was at 5%.

Again, a hardship fund would be undesirable for a number of reasons and would be open to serious challenge. It would be very unusual for a local authority to actually distribute money, or cap rent increases to its residents, but there is a lot of advice and help available.

The TMO's arrears policy ensures that there is early intervention in terms of ensuring the provision of good advice. They have a policy of automatically referring tenants for housing advice if they are served with a Notice Seeking Possession, and fail to respond. Other organisations would refer tenants to court under those circumstances, but the TMO wanted to make sure that they were offering an alternative that was both better for the tenant and less costly all around and only now refer to court if the referral for housing advice is not taken up.

The Council also funds some advice agencies throughout the borough to provide benefits and money advice) and eviction will be a last resort.

It may also comfort members to know that the Chief Housing Officer and the Cabinet member for housing receive the eviction reports and would be able to intervene if they felt that there was an unreasonable increase in evictions or if they felt there was unfair treatment.

Sue Daniels
24th January 2009

*Tue 18th
12 noon
Lanc West office*

Lancaster West E.M.B.
Committee Members – 2008/09

Elected Members

Mr Robert Bryans (Chair) *Co-opted*

Roslyn Sylvester

Dr Evangelos Arkas (VC) *VC*

Ms Vesna Mitic

Mr Keith Miles *Ch*

Mrs Teresa Miles

Ms Ivis Wong

Ms Pam Payne

Ms Geraldine Lord *VC*

Ms Marcia Levy

Co-Opted Members (Voting Rights) *+ ???*

Dee Dainton

Grenfell Creche

Council Nominations (Voting Rights)

Councillor Janet Blakeman *Decided*

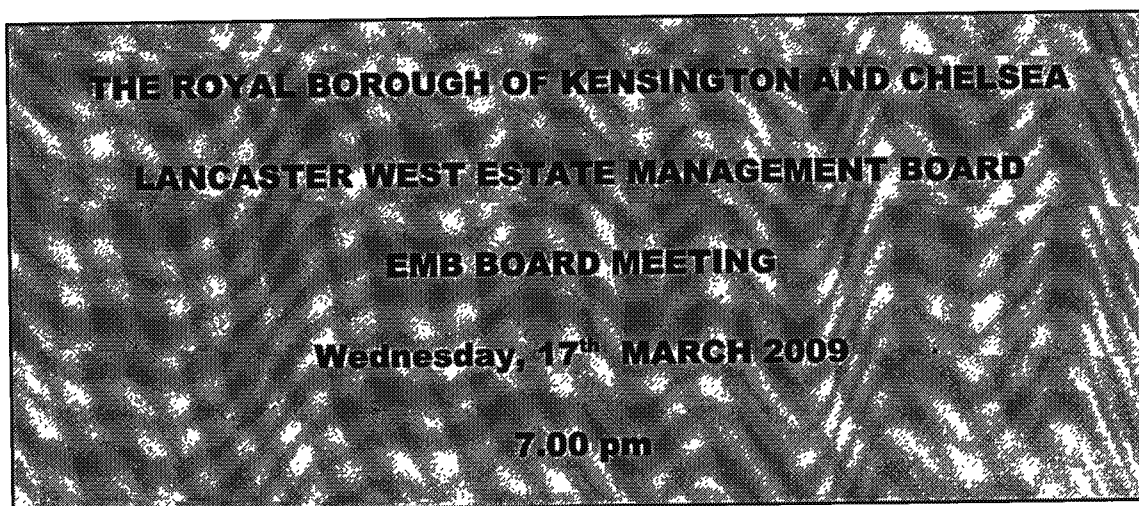
Councillor Dr Iain Hanham

Councillor Mathew Palmer

T.M.O. Nomination (No Voting Rights)

Mr Tim Rice *decided*

*****Please note that information concerning addresses and telephone numbers is for the use of the Committee only and should not be given out without permission.*****



MINUTES

Present:

EMB Members attendance:

- | | | |
|------------------------------|---|--------------|
| 1. Keith Miles (KM) | - | Board Chair |
| 2. Cllr Judith Blakeman (JB) | - | Board Member |
| 3. Robert Bryans (RB) | - | Board Member |
| 4. Geraldine Lord (GL) | - | Vice Chair |
| 5. Dougal Steward (DS) | - | Board Member |
| 6. C'llr Matthew Palmer (MP) | - | Board Member |

TMO Officers in attendance:

- | | | |
|---------------------|---|---------------------------|
| 1. Enid Bailey (EB) | - | EMB Estate Office Manager |
| | - | |
| | - | |
| | - | |
| | - | |
| | - | |
| | - | |
| | - | |
| | - | |

Apologies:

Teresa Miles (Board Secretary)

Roslyn Sylvester (Board Treasurer)

1.0 Matters Arising from meeting of December 8th 2008

1.1 Request for a copy of the minutes from December 8th 2008

Reinstatement of Dougal Steward

1.2 It was proposed by the chairman of the board Keith Miles that they vote on the reinstatement of Dougal Steward as a Board member. The Board voted 6 agreed 2 Abstain

Damian Donnelly

1.3 Geraldine Lord asked why the board is not getting any updated information in regards to decisions made regarding the Area Manager Damian Donnelly.

1.4 The chairman of the Board Keith Miles replied that he was informed by Sheila Belgrave Director of Housing Management & Business Improvement that a meeting is schedule with Damian Donnelly for Monday 23rd March 2009.

1.5 Robert Bryans suggested that the board edit all documentation of the entire Constitution before final draft.

1.6 The board requested a copy of the constitution and Business Plan be issued at the next board meeting for a review.

1.7 Robert Bryans and several board members had some concerns with the financial report Budget overspent and unspent . they felt that the Area Manager Tony need to clarify at the next meeting.

1.8 C'llr Matthew Palmer questioned £100,000. spent for agency staff cost when the budget does allow for agency staff.

1.9 Dougal Steward have some concerns about the money being spent .

2.0 C'llr Matthew Palmer had some concerns about void properties. Robert Bryan clarified the process.

3.0 C'llr Matthew Palmer questioned if the rent income includes commercial rent Robert Bryan and C'llr Judith Blakeman reply no.

Uniform Cost

3.1 The board members questioned uniform costs.

3.2A

Dougal Steward stated that the tenants on the estate are paying for services for work that are not being done. For example: Leaseholders.

**3.3 The requested a list of EMB Board Membership.
Dee Daiton requested a draft of the membership (Membership Drive)**

3.5 Robert Bryans we need to find out the council requirement for self management

3.6 Robert Bryans requested that the board get some kind of update in regards to Damian Donnelly return or dismissal.

Improvement Plan

3.7 C'Ilr. Judith Blakeman questioned what happened to the improvement plan that the TMO discussed in the meeting with Sheila Belgrave.

EMB Membership

3.8 C'Ilr Matthew Palmer stated that the board do not know enough of what is going on at the TMO/EMB we do not know the membership

EMB Audit

3.9 Robert Bryans and C'Ilr Judith Blakeman proposed a proper audit to be done before we move forward

4.0 Keith Miles the chair put C'Ilr Judith Blakeman request to the floor for a vote all members voted yes to an immediate audit.

Audit Companies

4.1 Keith Miles (Chair) instructed Enid Bailey to research various audit companies and report findings to the next board meeting.

AOB

4.2 N/A

4.2

4.3

5.3

5.4

5.5

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

LANCASTER WEST ESTATE MANAGEMENT BOARD

EMB BOARD MEETING

Wednesday, 17th MARCH 2009 7.00 pm

MINUTES

Present:

EMB Members attendance:

- | | |
|-------------------------------|----------------|
| 1. Keith Miles (KM) | - Board Chair |
| 2. Cllr. Judith Blakeman (JB) | Board Member |
| 3. Robert Bryans (RB) | - Board Member |
| 4. Geraldine Lord (GL) | - Vice Chair |
| 5. Vesna Mitic (VM) | - Board Member |
| 6. Dougal Steward (DS) | - Board Member |
| 7. Cllr. Matthew Palmer (MP) | - Board Member |

TMO Officers in attendance:

Enid Bailey (EB)

EMB Estate Office Manager

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1.1 Request for a copy of the minutes from December 8th 2008

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1.6 The board requested a copy of the constitution and Business Plan to be issued at the next board meeting for a review.

1.7 Robert Bryans and several board members had some concerns with the financial report Budget overspent and unspent. They felt that the Area Manager Tony needed to clarify at the next meeting.

- 1.8 Cllr. Matthew Palmer questioned £100,000 spent for agency staff costs when the budget does [not ?] allow for agency staff.
- 1.9 Dougal Steward had some concerns about the money being spent.
- 2.0 Cllr. Matthew Palmer had some concerns about void properties. Robert Bryans clarified the process.
- 3.0 Cllr. Matthew Palmer questioned if the rent income includes commercial rent. Robert Bryans and Cllr. Judith Blakeman replied it did not.
- Uniform Costs**
- 3.1 The board members questioned uniform costs.
- 3.2A Dougal Steward stated that the tenants on the estate are paying for services for work that are not being done. For example: Leaseholders.
- 3.3 They requested a list of EMB Board Membership.
- Dee Dainton requested a draft of the membership drive
- 3.5 Robert Bryans said we need to find out the Council's requirements for self management
- 3.6 Robert Bryans requested that the board to get some kind of update in regards to Damian Donnelly's return or dismissal.
- Improvement Plan**
- 3.7 Cllr. Judith Blakeman questioned what had happened to the improvement plan that the TMO discussed in the meeting with Sheila Belgrave.
- EMB Membership**
- 3.8 Cllr. Matthew Palmer stated that the board do not know enough of what is going on at the TMO/EMB, we do not know the membership
- EMB Audit**
- 3.9 Robert Bryans and Cllr. Judith Blakeman proposed a proper audit to be done before we move forward
- 4.0 Keith Miles the chair put Cllr. Judith Blakeman's request to the floor for a vote; all members voted yes to an immediate audit.
- Audit Companies**
- 4.1 Keith Miles (Chair) instructed Enid Bailey to research various audit companies and report findings to the next board meeting.
- AOB**
- 4.2 N/A

Cllr-Blakeman

From: Cllr-Blakeman
Sent: 17 March 2009 11:09
To: 'tohara@kctmo.org.uk'
Cc: Cllr-Palmer; Cllr-Hanham(Dr)
Subject: Lancaster West EMB Meeting

Dear Tony

Cllr. Palmer and I have had a quick discussion this morning about tonight's meeting. We note that the agenda is vague and we wish to ensure that we have a positive meeting that will enable us to begin to bring the EMB and its Board into a position where it is again fit for purpose.

Some of the matters that we need to consider are:

Business Plan

Some information and action that is required before the Board can draw up a realistic Business Plan:

The Board needs:

- a comprehensive, accurate and up to date financial report
- a draft improvement plan
- clear details about current staffing arrangements
- a report on what is happening at the Tenant Resource Centre and the EMB Club Rooms
- information about when and by whom the decision was taken to go for the *Right to Manage*
- a report on the implications of and process for progressing the *Right to Manage* application.

Action to improve the governance arrangements of the EMB, including:

- an up to date and accurate membership list
- an early membership campaign, as membership is very low
- changes to the Constitution that, at the very least, provide for co-opting up to three outside experts to the Board, at least one of whom must be a financial expert; and a variation of the process to convene an extraordinary meeting. These changes will have to go for approval to the AGM.

All residents need:

- to be sent notification of date and venue of the AGM immediately, in writing, including in Arabic
- full details of the Board election process and all other matters to be considered at the AGM
- to be able to join at the AGM if they have not been picked up earlier during the membership campaign.

Kind regards

Judith

17/03/2009



**LANCASTER WEST
ESTATE MANAGEMENT BOARD**

BUSINESS PLAN

2008-2012

Business Plan 2008- 12

'The next 5 years could be the time when the Lancaster West EMB comes of age – we need to seize our moment and make it happen.' Dr Evan Arkas

Draft 2
29th July 2008



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1.0 Introduction

This document sets out the Strategy and Business Plan for the EMB for the period 2008- 2012 and forms the basis for the EMB's Annual Service Plan.. The purpose of this Business Plan is to enable the development of a flourishing EMB, which will deliver effective and accountable services, create a cohesive community and contribute to regeneration, prosperity, and quality of life for the people living on the Lancaster West Estate.

2.1 The EMB role will be:

Co-ordination

- Be the focal point for
- Gather intelligence on housing policy & development and keep abreast of developments locally, regionally and nationally.
- Seek resources to further the development of community development, regeneration and social enterprise on the estate and be the channel through which resources are directed.

Strategic

- Link with the Strategic & Neighbourhood Partnership, and other Partnership structures e.g. Youth Services, Social Enterprise Sector, Voluntary Sector.
- Drive the implementation of the Business Plan and strategy and monitor its progress and impact
- Link with regional and national structures and strategies to develop the estate investment and regeneration strategy.

Quality of Delivery

- Seek to improve the capacity of the local estate office team to deliver services and support to residents and the EMB Board/TRA and seek to reconfigure services and resources to improve delivery.
- Encourage support and partnership organisations to work together co-operatively, identify and support lead roles and responsibilities relevant to partner organisations core expertise/Neighbourhood Management/Estate Investment.

Promotional

- Promote the values and raise the profile of the EMB generally.
- Consult with the local community and support agencies and assist in information sharing in the through events and newsletters
- Ensure that the EMB 's 'voice' is heard in the development of Borough housing policy as well as in London regionally.

3.0 Fit with other agencies plans and activities

The proposals set out in this strategy reflect the evolving national, regional and sub regional housing policy framework as embodied in current documents produced by the Council, ALMO, Equality & Human Rights Commission, Homes & Community Agency, Communities & Local Government Department. The Local Area Agreement the EMB is drafting will be a key route for the EMB and TRA to engage with other key agencies in implementation of its proposals.

In operational terms it is also important that the EMB's activities reinforce its Governance role in supporting community development and social enterprise as well as key core housing management activities. Generally the view is taken that in facilitating the formation, growth and survival of social enterprise on the estate the EMB should work with all other business support providers e.g. CASH, Portobello Business Centre, and statutory agencies to ensure that current mainstream provision meets the needs of social enterprise located on the Lancaster West Estate. By this means, services provided direct by the EMB will thus be of a specialist nature which the EMB itself is best placed to provide as part of the overall network of business support available across the North Kensington area.

4.0 Key Objectives of this Strategy

The EMB has five key objectives to which the priorities and actions in this Action Plan contribute.

These objectives are to:

1. Foster a culture of co-operation and good governance.
2. Ensure the right information and advice is available to EMB Board Members to ensure effective decision making.
3. Enabling the EMB to access appropriate funding to ensure the proper level of investment on the estate.
4. Expand the managerial remit of the EMB through the direct management of more estate services
5. Enabling the EMB to work more effectively with the Council and other partners.

EMB's Key Partners

Royal Borough of Kensington & Chelsea
KCTMO/ALMO
Rugby Portobello Trust
Groundwork UK
Social Enterprise Coalition
National Federation of TMO's
Housing Regeneration
CAS
OCS
Baseline Studios
Greater London Authority
Notting Hill Carnival
HASKC
Victim Support Kensington & Chelsea
CALM
SLCNG
RIEN
TMO2YOU
Social Inclusion Team

EMB Vision for the Lancaster West Estate:

“To support a growing sustainable diverse community on Lancaster West Estate through the provision and management of good quality, value for money services which meet the expectations of our residents. To invest in the maintenance of the built environment inc. community facilities to a high standard and to attract employment and social enterprise opportunities for the benefit of the whole community.

Description of Lancaster West Estate

The Area:

Lancaster West is situated in the Notting Barns Ward (previously part of the Avondale Ward) close to Ladbroke Grove in the North Kensington Area of the Royal Borough of Kensington and Chelsea. The Royal Borough itself is an area of great historic and architectural interest and renowned for its handsome residential streets and squares. It is home to some of the world's most famous museums, numerous embassies and many of London landmarks.

The Lancaster West Estate Estate is of high-density and comprises 908 homes, the majority of which are flats. Most of the estate was built in the 1970's, it has a single storey tower block of 20 floors and 7 deck access blocks of 4 floors, with varying lengths. Even with right-to-buy, it is still predominantly council-owned (785) with leaseholders making up only 123 homes on the estate and 4 freehold properties.

Residents have always been active in organising themselves to try and improve their quality of life. There has been a tenant's association on the estate since it was opened in 1976, and the Lancaster West Estate Management Board (EMB) was established in 1993 after years of active resident involvement.

Management Team & EMB Committee

The EMB has managed the Lancaster West Estate since 1993. The EMB comprises 15 residents, 2 Ward Councillors, and 2 voting co-optees. The EMB does not directly employ any staff as they are all on secondment from the TMO.

The EMB Offices are located on the ground and 1st floor of the tower block, within easy walking distance from any part of the estate. There are 11 staff on site. The services that the EMB provides directly to residents are Concierge allocations and lettings, rent and service charge collection, rent arrears management, tenancy management and managing day-to-day repairs (although contracted through the TMO). The remaining services like rent setting, tenant participation, cleaning, horticulture, capital works, planned maintenance are still the responsibility of the Council. The original management agreement was signed between the Council and the EMB. Three years later, the Council transferred the management of all its housing stock to its Borough-wide Tenant Management Organisation (TMO), the only one of its kind in the country. The Council has now devolved most of the residual functions that the EMB did not take on to the Borough-wide TMO.

The EMB's management agreement with the council is currently under review and should be completed within the next 6 months. The EMB is looking to take on

its kind in the country. The Council has now devolved most of the residual functions that the EMB did not take on to the Borough-wide TMO.

The EMB's management agreement with the council is currently under review and should be completed within the next 6 months. The EMB is looking to take on additional responsibilities even though the management of leasehold services has been transferred to the Leasehold Services One Stop Shop several years ago under a Service Level Agreement with a management fee of £14,000.

Existing Community Development on LW Estate

In 1999, residents on the estate set up a Community Development Group to facilitate social and community oriented activities on the estate. Since 2001, there has been a very active Residents Association championing resident's issues. There are also a range of leisure facilities on the estate with the EMB Clubrooms providing a meeting point for many activities. There are tennis courts, an all weather football facility and a nearby Sports Centre. Social services also has offices on the estate as do the Youth Outreach Team and the Barandon Road "Baseline Studios" which lets business units suitable for small and start up businesses as well as letting 3 units to the EMB for social enterprise schemes.

Issues for Lancaster West

Some examples:

Tackling local unemployment amongst young people and the long-term unemployed by providing jobs locally, which will help to improve the local economy.

Empowering the community by providing some integration in the community through the development and management of local services

Improving services by providing a better local service that would be of a high quality and be as efficient or more efficient than current provision on the estate.

A high proportion (about 1 in 5) of families who have settled on the estate over the years were forced to leave their countries of birth due to civil war or oppressive regimes. These communities have ingeniously contributed to the creation of an estate, which has a mind-boggling 90 nationalities and 30 languages ranging from Moroccan, Spanish, Portuguese, Filipino, English, Irish, Asian, African and Caribbean, resulting in an estate that is extremely rich in cultural and ethnic diversity. Residents and staff are keen to set up social enterprises that would target opportunities at those whose ethnicity or language makes it difficult for them to find work, at lone parents who need flexible working arrangements, or child-care back-up. Thus making use of the cultural diversity on the estate in a positive way.

Approximately 70% of the estate's residents are in receipt of benefits and unemployment exceeds the figures of 5.1% for the ward compared to 2.1% for the Borough as a whole. Just under one quarter (24%) of households have at least one

adult in the home that works full time. A further 15% of households have at least one adult that works part time. The remaining 61% has no one in paid employment. Parents are either full time carers, involved in education or unemployed.

Tackling unemployment is therefore a key target area and the development of Social Enterprises and extension of the Handyman Service could help to increase the level of employment and improve the quality of employment within the local community. The aim is to provide real jobs that met local needs and paid decent wages, thus providing opportunities for unemployed young adults with little or no work experience and the longer-term unemployed.

Programme for LWEMB Business Planning sessions

Time	Programme	Activity	Who
	Session 1 ½ day		
10am	Welcome & introductions		
10.10	Business planning...together	Presentation	
10.30	Role and responsibility of the EMB - what is in the Modular Management Agreement?	Presentation	
11.15	Tea/coffee		
11.40	What's our mission – why are we here and where do we want to be in 5 years time?		
12.10	Final comments	Exercise	
	Finish		
12.50	Session 2 ½ day		
1.00	Welcome and recap of session 1		
	What's in a business plan? – outlining the Business planning process	Discussion	
10am	Using the SWOT Analysis – identifying the issues for Lancaster West	Presentation	
10.15	Tea/coffee	Exercise	
10.30	Bringing it together under headings - for example		
11.00	<ul style="list-style-type: none"> Fostering a culture of co-operation 	Exercise	

11.20	<p>and good governance</p> <ul style="list-style-type: none"> • Ensuring the right info is available for Board members • Improving Tenancy Management Services • Improving Estate Services • Improving Resident Involvement • Improving Quality of Life 		
12.00	Creating “SMART” objectives	Presentation & exercise	
12.30	Prioritising	Exercise	
12.40	What Happens next?	Discussion	
12.45	Final round up Final comments		
1.00	Finish		

DD –Damian Donnelly

Lancaster West

Key Documents to accompany:

- Financial Strategy
- Risk Strategy
- Service Plan
- Governance Strategy
- Estate Investment Strategy

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
LANCASTER WEST ESTATE MANAGEMENT
BOARD MEETING
MONDAY, 8th DECEMBER 2008
7.00 pm.

MINUTES

Present:

EMB Members attendance:

- | | | |
|------------------------------|---|------------------|
| 1. Keith Miles (KM) | - | Board Chair |
| 2. Cllr Judith Blakeman (JB) | - | Board Member |
| 3. Robert Bryans (RB) | - | Board Member |
| 4. Geraldine Lord (GL) | - | Board Vice Chair |
| 5. Vesna Mitic (VM) | - | Board Member |
| 6. Teresa Miles (TM) | - | Board Secretary |
| 7. Roslyn Sylvester (RS) | - | Board Treasurer |

TMO Officers in attendance:

- | | | |
|-------------------------|---|---------------------------------------|
| 1. Sheila Belgrave (SB) | - | Director of Housing & Business Imp. |
| 2. Liam Good (LG) | - | Director of Technical Services |
| 3. Ian Warner (IW) | - | Director of Finance |
| 4. Andrea Johnson (AJ) | - | Head of Customer Services and Repairs |
| 5. Clare Davis (CD) | - | Principal Accountant |
| 6. Enid Bailey (EB) | - | EMB Office Manager |
| 7. Andrew Morrison (AM) | - | Project Officer |
| 8. Keegans & Co | - | Repairs Procurement |
| 9. Tony O'Hara (TO'H) | - | Area Manager & Minute taker |

Apologies:

None given although RB extended apologies in advance of the meeting as he would be unable to stay for the entire agenda due to obligations elsewhere.

1.0 Matters Arising and amendments to previous meeting

- 1.1 1st Page Not Agreed
 2nd Page Not Agreed.
- 1.2 The Board requested that it be specifically minuted that the Minutes for the meeting held on 28 October 2008 were disappointing in their lack of detail and content.
- 1.3 TM pointed out that her review of the EMB Constitution had not been recorded.
- 1.4 RB requested that an independent minute taker be supplied as in previous years. SB offered the services of the TMO Company Secretary to minute/service EMB Meetings and this was declined in favour of a local Officer to be supplied by TO'H.
- 1.5 JB suggested that a review of the entire Constitution incorporate whether or not a need for a professional minute taker would be advisable.
- 1.6 All EMB Officers agreed for the need for more transparency.
- 1.7 VM suggested to all attendees that the EMB was not wanted as an organisation and cited an example whereby a buzzer at Upper Talbot was not repaired until she chased Les Hobbs herself. VM stated in the most categorical of terms that the Office staff didn't do anything. The chair asked that the Board stick to the agenda.
- 1.8 A Point of Order was called through the Chair by TM that the Chair had failed to do Introductions.
- 2.0 **Agenda**
- a) Lancaster West Budget Report – Presented by Ian Warner
 - b) The Right to Manage
 - c) Interim Management Proposal – Presented by Sheila Belgrave
 - d) Repairs Re-Procurement Report – Presented by Liam Good
 - e) EMB Constitution
 - f) AOB
- 3.0 **Lancaster West Budget Report – Presented by Ian Warner**
- 3.1 IW ran through the Report highlighting two points of particular interest, being:
- (i) Financial position for 2008/09 as at 31 October 2008
 - (ii) Budget setting for 2009/2010
- 3.2 The projected deficit for 2008/09 was explained – there was a

projected overspend of £65,000 in addition to the budgeted deficit of £90,000. IW stressed that the EMB should be concerned and the causes cited included;

- (i) Budgeted savings for the previous two years savings were not being made
- Van purchase - £18,000

3.3 Point of Order called by RB as the van was purchased from EMB Reserves and any Office overspend was caused by the mismanagement of staffing due to the additional temporary staff.

3.4 Security and various other factors were contributing a further £33,000 of overspend.

(iv) For the HRA, IW pointed out that there was a small net projected overspend on the HRA of £14,000. Significant variances included

- Voids – loss of £22,000

IW stated that if the HRA was over budget and any overspend would have to be balanced by reserves from the EMB.

3.5 RB interrupted IW's report stating that the previous void contractors were top of the league and the TMO stopped paying these subcontractors and basically muscled the contractors out of work and this was responsible for the abysmal performance at the EMB.

3.6 IW reiterated to the Board that this was a financial report and not a performance report. There is expected to be a significant overspend and more appropriate budget setting measures must be considered for 2009/10. A saving of £75,000 must be made as it is not prudent to rely on the EMB Reserves any further.

4.0 The Right to Manage

4.1 The TMO could provide the management services for approximately £700,000 per annum and it was estimated that £1.2M would be required from the HRA for the EMB. These large sums were in part due to economies of scale not being achievable by such a small organisation.

(ii) IW pointed out that the residents of Lanc West would be adversely affected by the recent rise in gas prices.. Rise in Heating and Hot water costs will adversely effect the EMB.

4.2 The Board requested to know if RBKC would fund the extra money required for Right to Manage. IW responded that this was unlikely.

The Board also asked why wasn't the budget cut in previous years and it was suggested that the reason lay with Damian Donnelly's management of the EMB Office.

**5.0 Interim Management Proposal –
Presented by Sheila Belgrave**

5.1 The Chair requested that the full details of this item be held until January due to RBKC accepting the Right to Manage application.

5.2 SB requested permission for a verbal update on the improvement plans and the role of the interim manager.

5.3 In early 2008 EMB staff approached SB as to the future as Damian Donnelly (DD) was to accept voluntary severance. The way forward was decided in tandem with EMB and the Right to Manage and the EMB's decision not to follow the TMOs Neighbourhood structure. The structure was explained via directions to the Report. SB updated the EMB with regards to Damian Donnelly.

5.4 The board wanted to know why there was a three month delay in the TMO updating the EMB as to staffing and Damian Donnelly and why was the Board not approached as to Damain Donnelly's replacement?

5.5 SB explained that the process was handled following advice from HR in order to protect DD from undue speculation to ensure confidentiality. SB informed the Board that KM was advised and he agreed the process and understood the need for quick decisions on the matters in question. SB stands by the handling of the situation. SB reiterated that the DD was extended leave and the investigations were on going and should be resolved by mid January 2009. TO'H was formerly covering the North West and SB thought it prudent due to his experience to move him to the EMB to protect the company's interests.

5.6 The Board requested to know who TM should approach with queries. SB explained that the TMO would extend offers of support and assistance through, the Resident Involvement team

5.7 The Board asked why a single member of the EMB not called regarding the DD issue. SB explained That this was not the case. The Chair and Cllr Blakeman was informed. She also noted that feedback from staff and residents would suggest that things were going well and there has not been a breakdown in performance or service delivery.

5.8 SB asked that it be specifically minuted that certain Board members have made inappropriate assertions about the TMO and the EMB staff and it should stopped with immediate effect.

6.0 **Repairs Re-Proccurement Report – Presented by Liam Good**

6.1 LG went through the report and explained Keegans role in the process and the fact that the TMO were at the Statutory Compliance Pre-selection phase.

6.2 The Board wanted to know if any Lancaster West residents were involved in the processes. LG explained that two had shown an interest and had been invited to attend focus groups but they failed to attend.

6.3 The Board wanted to know when the window replacement project would begin for Upper Talbot. LG explained it had nothing to do with the procurement project.

7.0 **EMB Constitution**

7.1 Chair requested that his item be time-tabled for the New Year.

8.0 **AOB**

8.1 JB informed the Board that a planning extension had been raised with RBKC – the Board to formally object.

8.2 JB informed the meeting that Stock Options were considering the redevelopment of Lancaster West over a 20 year period.

8.3 VM stated that there was a problem with the heating system and their operatives did not know where the boiler room was situated on the Estate.

8.4 

9.0 The meeting ended at 9.10pm.

**ESTATE MANAGEMENT BOARD
LANCASTER WEST ESTATE**

TITLE OF MEETING	EMB – BOARD	
Date:	Monday 8 th December 08	
Venue:	Lancaster West Estate Office Grenfell Tower	
	1.Keith Miles (KM)	Board Member (Chairperson)
	2. T. Miles (TM)	Board Member (Secretary)
	<u>AGENDA</u>	
	1: Lancaster West Budget Report	Duration: 5 minutes
	2.Minutes from EMB Board Meeting of 28/10/2008	Duration:2 minutes
	3.Apologies	Duration: 1 minute
	4 Interim Management Proposal Report	Sheila Belgrave Director of Housing Management and Business Development Duration: 4 Minutes
	6. Repairs Re-Procurement progress Report	Liam Good Director of Technical services Duration: 4 minutes
	7. Update Report RE: Damian Donnelly	Duration:2 minutes
	8. EMB Board Constitution will be raised and discussed at the next board meeting in 2009	Duration: 1 minute
	9. Any othe Business	Duration: 4 minutes
	Safestore NR SNT Panel Storage options	

REPORT BY THE INTERIM DIRECTOR OF FINANCIAL SERVICES

2008/09 BUDGET MONITORING REPORT to 31st OCTOBER 2008

1. PURPOSE OF REPORT

1.1. The purpose of this report is to advise the board of the management expenses and HRA repair outturns as at 31st October 2008.

1.2. FOR INFORMATION

2. Management Expenses

2.1 The Management Expenses account for the Salaries Budget / People Costs, Establishment Costs, Support Costs for the running of the local estate-based office and the team, which are met from the Management Fee paid by The Council.

2.2 Summary of 2008/09 Position at 31 October 2008

	£
Management Fee 208/09	(386,000)
Salaries Budget	406,824
Non-Salaries Budget	<u>78,120</u>
Original Budget Deficit	98,944

	£
Original Budget Deficit	98,944
Forecast Budget Deficit	<u>163,845</u>
Forecast Overspend	64,901

Variances contributing to the forecast overspend:

(a) Additional savings required in 08/09 not being achieved	25,000
(b) Savings Target 07/08 not being achieved	12,000
(c) General Equipment including Van purchase	19,000
(d) Premises Security	18,500
(e) Other	<u>15,399</u>
Total	89,899

The reasons for the forecast variances are:

(a) When the Rent Report was finalised last year, a commitment was given to save an additional £25,000 which has yet to be allocated.

(b) £12,000 saving agreed in 2007/08 but not yet identified and therefore is unlikely to be achieved in 2008/09.

(c) The purchase of a Van and cost of its insurance, a total of £18,192, was charged to General Equipment. This expense will ultimately be funded from reserves. Any annual running costs will also need to be funded.

(d) The Grenfell Tower security over spend includes £9,000 for service provided in the previous year (2007/08) and additional security during Notting Hill Carnival of £2,250.

2.3 Reserves

The Lancaster West EMB had reserves at 1 April 2008 of £546k.

3. HRA Expenses

3.1 Summary of 2008/09 Position at 31 October 2008

	£
Original Budget	454,000
Forecast Outturn	<u>467,700</u>
Forecast Overspend	13,700

Significant variances contributing to the forecast overspend :

	£
(a) Voids	22,000

The voids forecast is based on the amount spent in the previous year.

(b) Building Repairs – up to October £34,000 had been spent but the forecast is to spend to the budget of £300,000. There have been some issues with late invoicing by Connaught, but it looks very unlikely that expenditure will reach the budgeted level by March 2009. This could lead to an overall underspend.

2008/09 Area Revenue Board Expenses	£
Reserves b/f 1 st Apr 08	18,749
Budget for this year	<u>23,700</u>
Total Available	42,449

The current forecast is that the full £42,449 will be spent in 2008/09.

4. 2008/09 Overall Summary

The Company is forecasting to be significantly over budget. If the HRA budget is also over spent, then it will have to be funded from reserves.

5. Lancaster West Budget Summary for 2009/10

5.1 2009/10 Management Expenses

	£000
Management Fee 2008/09	386
Inflation at 2.5%	10
Management Fee 2009/10	396
2009/10 Salaries Budget	344
2009/10 Non-Salaries Budget	127
2009/10 Budget	471
Additional Savings required to meet Management Fee	(75)

Major Issues

Unless there are significant savings or increased funding from the Council, there will be another deficit in 2009/10 that will again reduce reserves.

Shown below is the breakdown of savings that Lancaster West agreed to over the last two years together will the additional requirement for 2009/10. The cumulative total of £75k for 2009/10 needs to be saved to prevent a deficit position.

Breakdown of agreed savings	£000
2007/08	12

2008/09	25
2009/10	38
Total	75

5.2 2009/10 HRA Expenses £000

2008/09 Budget	454
Inflation at 2.5%	11
HRA Budget 09/10	465

Assuming that the HRA 2008/09 outturn remains on budget there should be no major issues for 2009/10 to report at this time, although there is a risk that the re-procurement of the repairs contract could increase costs significantly.

6.0 2009/10 Area Revenue Board Expenses £23.7k

Assuming the brought forward sum from 2007-08 (£19k) is all spent during 2008/09 there will be £23.7k to spent in 2009/10.

7.0 Issues to be considered under 'Right to Manage'

If Lancaster West is to become more independent under the 'Right to Manage' scheme, there are functions that are currently covered by the TMO for both Management and HRA expenses that will need to be undertaken by Lancaster West or payment made to the TMO for providing them. These include:

- Payroll and HR functions – including payment of deductions, statutory returns and services currently provided by the Council along with recruitment and training
- Finance function – payment of invoices, management reporting and statutory returns, treasury management
- Leaseholder Services – including Service Charges and Major Works setting of the charges and the cost of collection for leaseholders
- Rent and Service Charges - setting charges for tenants
- IT - including system support, the cost of using and maintaining housing and financial computer systems and the management and maintenance of a fixed asset register
- Technical Services - including Out of Hours Repairs, contracts from offer to tender to monitoring, lifts, landscape and engineering, large programmed work and cleaning contract
- Services to tenants e.g. mediation and interpretation/translation and residents' involvement
- Legal Services – such as issues with residents

A high level initial estimate of the cost of the TMO providing these services is £0.7m for Management expenses and £1.2m for HRA expenses.

The Board must consider these costs when deciding on the way ahead under the 'Right to Manage' Scheme.

Ian Warner
Interim Director of Financial Services

Lancaster West EMB - Board Meeting – 28/10/08

EMB Club Rooms

MINUTES

In Attendance

Keith Miles (KM) (Chair)
Councillor Judith Blakeman (CB)
Robert Bryans (RB)
Roslyn Sylvester (RS)
Geraldine Lord (GL)
Ivis Wong (IW)
Dee Dainton (DD)
Councillor Iain Hanham (CH)
Teresa Miles (TM)

Officers in Attendance

Alan Hunter, Estate Officer, Lancaster West Estate (AH) (Minutes)

Apologies

Vesna Mitic
Dougal Steward

Pre Meeting

Minutes of 29/07/08 agreed.

Note: 8.3 Simon Martin of TPAS has agreed to do training.

KM Notice to Council from LW that LW want to take on more responsibilities from the TMO is to be served within 2 weeks.

Matters Arising

TM Suggested various improvements to the running of the Board.

General discussion followed.

Outcome – All voted to spend up to £500 on developing EMB office.

Action – TM to prepare proposed list of items required.

Agenda

5. New EMB Constitution

KM Suggested half day away to review constitution. General discussion followed.

Outcome - All agreed including for independent facilitator to assist.

Action - KM to look in to dates and venues before next meeting.

6. Carnival Report

Discussion on carnival.

Outcome – All invited to attend meeting on 05/11/08 at 12.00 to discuss carnival security.

7. AOB

Bullying

RB It has come to the Boards' attention that staff have are being threatened by Board members. He requested for this to be minuted.

Outcome – Keith spoke to the Board member concerned after the meeting.

Damian Donnelly

The TMO is investigating and he is currently absent on full pay. Tony O'Hara is the new Acting Area Manager.

Dr Arkas

Dr Arkas has moved off the Estate. He would like to remain co-opted to the Board.

NEXT MEETING DATE – 8/12/08

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
LANCASTER WEST ESTATE MANAGEMENT BOARD

LANCASTER WEST ESTATE MANAGEMENT BOARD – DECEMBER
2008

REPORT BY DIRECTOR OF HOUSING MANAGEMENT AND BUSINESS
IMPROVEMENT

INTERIM MANAGEMENT PROPOSALS AND CURRENT POSITION
STATEMENT

1 Purpose

- 1.1 The purpose of this report is to advise the Board of the interim management arrangements and the current position of services at the EMB as they consider progression of the Right to Manage.
- 1.2 To approve the recommendations at 9.1 and progress a detailed Service Improvement Plan as part of the Right to Manage process.

FOR DECISION

2. Introduction

- 2.1 In the summer of 2008 the Director of Housing Management and Business Improvement was approached by Lancaster West Estate Management Board (EMB) staff to discuss interim management arrangements. This was a direct result of the current Area Housing Managers stated intention to leave the EMB as part of the voluntary severance programme being offered by the TMO. No provision had been made by the Area Housing Manager to ensure continuity in management of services.
- 2.2 The EMB have stated their desire to pursue a bid to manage their services under the provision of the Right to Manage regulations. It is therefore imperative to take stock of current service provision, draw some comparison with the current TMO service delivery model and highlight areas of note to the Board.
- 2.3 This paper will, with the approval of the EMB, form the basis of a service improvement plan to enable the Board to assess the likely timescale of the Right to Manage.

3 The RBKC TMO housing service delivery model

- 3.1 The TMO has undergone significant operational staff changes to maximise performance and efficiencies in the housing services we deliver.
- 3.2 The most significant change have been the separation of the previously generic housing teams into:

- Rent income collection (focused on current rental collection and also former tenant arrears and sundry debts) ;
- Neighbourhood Management (all tenancy management including anti-social behaviour, tenancy changes and inspection of our estates along with line management of caretaking staff);
- Contract Management (now fully integrated with cleaning, pest control, grounds maintenance, horticulture, playgrounds and hard landscaping).

3.3 These changes were in response to the comments received from residents at neighbourhood conferences, and the continuous drive to deliver services to residents more efficiently, along with the commitment to work more effectively with our partners such as the Police and Council. The re-structure has been carried out within existing resources and has actually meant significant savings in the number of staff required with no loss of services to residents.

3.4 The first phase of the re-structure of housing management was completed in early summer when the new teams were recruited. We now have a specialist Rent Income Team and three new Neighbourhood Management teams delivering responsive and comprehensive housing services across the borough.

3.5 This re-structured approach is designed to:

- Focus on providing the most comprehensive advice on rent issues and helping tenants maintain their rent accounts and access to benefits
- Work with residents to improve their estates and local environment by working with their Neighbourhood Housing Officer to monitor the services we deliver.
- Help you have a say in how we manage local areas
- Deal with anti-social behaviour quickly and effectively with specialist teams
- Advise residents on tenancy matters locally
- Focus on staff performance management
- Address response times to individual complaints and deal proactively with the causes of dis-satisfaction to provide long term solutions to re-curring issues.
- Provide comprehensive training in the specialised service areas

3.6 A crucial part of the change has seen the direct link through line management of caretakers and Neighbourhood Officers. This has allowed a joint approach to housing management and seen a positive benefit through the improved team working and relationship between formally separated estate based staff.

3.7 Complaints performance has improved since the new teams have been operating, with the neighbourhood teams regularly achieving and surpassing the required turnaround times.

4 The EMB housing service delivery model

- 4.1 The EMB chose not to adopt the new TMO housing structure, and have continued with the generic housing model.
- 4.2 One post, the Estate Superintendent, is subject to retirement on the 28th November 2008.
- 4.2 This is an opportunity to review the structure currently in place and if utilise some of the benefit that the TMO have experienced from the change. The EMB may not wish to alter structures but as part of the Right to Manage bid, any review would allow:
- Comparison of the complaints handling process
 - Review of staff training opportunities
 - Address instances of internal staff working relationships and identify causes of any break downs that may exist
 - Consultation with staff over the present delivery model
 - Improve morale
 - Review comparative costs and assess value for money wherever possible
 - Benchmark against other organisations
 - Assess inter agency working, for example, Police Safer Neighbourhood Teams, Council departments, HASKC and estate services contractors.

5 Other structural issues: The Company Secretary Role and the Constitution

- 5.1 The TMO has recently reviewed the Company Secretary role within its own organisation.
- 5.2 There would be an obvious benefit to the EMB considering any reasoning for this, and considering the position within the EMB prior to completion of the Right to Manage process.
- 5.3 The new constitution of the TMO, recently voted for by over 78% of the membership, has included key changes to the constitution, including important alterations and improvements to the code of conduct of Board members.
- 5.4 The EMB may consider it essential that they review their constitution, and its fitness for purpose, in light of the recent TMO challenges which are documented to have disrupted the Board business and its ability to manage important company issues.

6. Financial position of the EMB

- 6.1 TMO finance department are producing a separate report on the detailed financial position of the EMB. However it is worth noting the following key issues:
- Overspend on the Company budgets
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 - Savings required in both Company and HRA budgets for the 2009/10 financial year
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7. Proposed interim management arrangements

- 7.1 There is no present proposal to change the structure at the EMB.

- 7.2 Tony O'Hara, previously working for the TMO as a Neighbourhood Housing Manager, has been requested to fulfil the Area Housing Manager role temporarily. This is to cover the absence of the post holder Damian Donnelly. Tony O'Hara will report within the same line management structure to the Director of Housing Management and Business Improvement, Sheila Belgrave. There will also be close support to Tony from the TMO's Finance and Contract Management department, and regular joint meetings with the TMO Head of Neighbourhood Management Alasdair Manson to ensure consistency of service and continued best practice.

8. Outline Service Improvement Plan

- 8.1 To assess current service delivery, options for improvement within the existing structure and future options to improve service delivery it is proposed that a improvement plan is drawn together. This will encompass all the issues discussed in this paper and outline options for the EMB to consider as part of their bid to deliver services under the Right to Manage.
- 8.2 The basis for a service improvement plan is given in table form at Appendix 1.

9 Recommendations

- 9.1 It is **recommended** to the EMB that they approve this outline plan and its development as a detailed service delivery improvement plan. This will be presented to the EMB for detailed updates at each subsequent Board meeting.

Sheila Belgrave

Director of Housing Management and Business Improvement

Appendix 1. Service Improvement Plan – Framework

Operational Housing	<ul style="list-style-type: none"> a) Review complaints handling and procedures b) Review Contract management/ estate services and standing orders/ procurement c) Review current training d) Consultation with staff e) Review agency working f) Internal work relationships 	<ul style="list-style-type: none"> a) Business Improvement Team b) TMO Contract Management/ EMB Area Manager c) EMB Manager d) EMB Manager e) EMB Manager f) EMB Manager 	
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Freephone: [REDACTED]
www.kctmo.org.uk

Cllr Judith Blakeman
[REDACTED]

4th Floor, Charles House
375 Kensington High Street
LONDON
W14 8QH

Sheila Belgrave
[REDACTED]

Sheila.Belgrave@kctmo.org.uk

Our ref: SheBel001

12th November 2008

Dear Board Member

This letter is to advise you of a number of significant changes and developments at the Lancaster West Office. I am also writing to bring to your attention a number of key important issues that as a board you will need to consider at a future meeting of the board.

You will be aware that Damian Donnelly Area Manager is currently on leave and will be away from the office for some time. Covering the absence of Damian Donnelly will be Tony O'Hara who is an experienced Housing professional who has been working in the North of our Borough for several months. He has a wealth of experience and knowledge, and with the support of Enid Bailey; more than capable of running the office and provide housing management support to the staff.

I am currently along with the HR department looking into a number of issues concerning the management of the Lancaster West Estate office and its staff. These are confidential in nature and I am not in a position to go into great detail at this time. I would like to however, assure the Board and the staff, that at such a time, when I have concluded the investigation I will provide the Board a full report of my findings.

I have met with your Chair Keith Miles and Cllr Blakeman, Board member and I have been keeping them up to date with the progress on key issues. However it will be important that I meet with the full Board as soon as is possible to discuss the following:

1. The Budgets of Lancaster West Estate.
2. The management of 'Complaints'.
3. The implementation of an improvement plan.
4. Understanding the right to manage and the implications of the EMB.
5. The management of Estate Service
6. The Procurement of the Repairs and Maintenance Contract
7. Damian Donnelly.

Managing council housing for tenants and leaseholders in the Royal Borough

Chief Executive
Helen Evans

The Royal Borough of
Kensington & Chelsea
Tenant Management
Organisation Ltd.

Registered Office:
Charles House,
375 Kensington High Street,
London W14 8QH

Registered in England
& Wales No. 3048135
VAT No. 672 0689 19

MET00040869/104
MET00040869_0104

I will be meeting with Keith Miles on Tuesday, 18th November 2008 to discuss an agenda for the next Board meeting, where officers of the TMO will attend to give you feed back on these key issues.

I would like to thank you for your patience and support during this period of change.

Yours sincerely

A handwritten signature in black ink, reading 'S. Belgrave' in a cursive style.

Sheila Belgrave
Director of Housing Management and Business Improvement

Thurs 11/11/08

Board members begin to move intervention HW.

Relamp Hall = RBKCC, Tynford bro paper

Chair mng, adjn, ofstet = RBKCC Pam Sedgwick =
chair manager - new intervention v. Ltd.

new began dial gne RBKCC report services

new any see gntkno gnce crypts.

GNB ads to get to gups with gnce.

Served right to manage intake n RBKCC?

Board needs report on this - inc appraisal
of options.

Induction, gnce - all board members shd know.

minuting shd be by designated officer with
gnce b/gnd n ~~result~~ involvement.

new has sep gnce & HR, apptd new HR manager,
+ strengthen gnce side

Res involvement team deal with induction, gnce & new
HR to deal with board support

To set-up 1 gnce team instead, resp for running
board & try 2 induction

Res involvement to do more coming debt work.

Capacity to support gnce @ HW.

There is a cry see flunk - DD denoted from it - so
deal highly to GNB

external advice on how to unravel but does not @
Ch-s resp.

Finance finance probes a CW. Current budget would
reveling them - massive spend n repairs &
mainten

Van to be paid from reserves - shd not be from that budget.

new picking up on GNB costs - RBKCC??

f133k under spend bdy repairs.

Arps
well known
exp cry
Price
Leachman
Att Law

72k

£23k H&S under spent
Where does this money go?
What is site reverts?

ARB repair funds across areas £35k ^{this} year LW.
Ch, Vch, Sec, RAS make up ARB, decide local
initiative spending.

Also Numb Conference.

ARB process starts this week.

What are board mins
of ARB?
Minutes? Force?

How did internet age come about?

Cd cause us sm concern.

£546k reserves

Reports to next Bd mtg - Alastair Pearson to attend.
Pages by 18th.

Mr Head of Repairs Andrew Johnson to attend Bd to
lead on procurement of new contract - need to
upload

Repairs

Budget

Running of Board

Role of Council

Improvement Plan for staff

Complaints process review / log all, get no.
into system, w/ g with Suid

Must come to board

(Verna Mite - what incident complaint - Karen, Vicky, Suid)

Speak to all postponing next Board meeting.

Need to dev policy chair role - get Sue Daniels (Levy)

Lancaster West – Current Position Statement @ 30 October 08

2008/09

Lancaster West Company

Current Year to Date (YTD) Spend to September - £40k against a YTD budget of £37k – an overspend of £3k

The main reasons for this overspend are:

- The reduction in Management Fee from the Council. Due to an oversight, the annual budget was not adjusted down to reflect the additional saving of £25k which was agreed but never allocated.
- The year to date spend on staff costs is £13k under budget which compensates for the £12.5k overspend resulting from the unallocated saving in the budget.
- The overall overspend of £3k is £2k Premises Security and £1k Miscellaneous Expenditure.

Current Year End Forecast Spend £146.5K against a budget of £74k – an overspend of £72.5k

The main reasons for this overspend are:

- The reduction in Management Fee from the Council. Due to an oversight, the annual budget was not adjusted down to reflect the additional saving of £25k which was agreed but never allocated.
- The purchase of a company van at £18k ultimately to be funded from Reserves. Running costs will also have to be factored in.
- Security – an overspend of £19k includes £9k from 07-08 and £2.2k additional costs during Notting Hill Carnival.
- Stationery is forecast to be overspent by £5.5k
- Office Cleaning for the year is forecast at £7k but there is no budget for cleaning.

Lancaster West HRA

Current Year to Date (YTD) Spend to September - £57k against a YTD budget of £229k – an underspend of £171k

The main reasons for this underspend are:

- Currently there is a large underspend of £133k on Building Repairs. I am aware of a backlog of invoices yet to be charged by Connaught. Historically this budget has always ended the year with an underspend.
- There is also an underspend of £23k on Health and Safety due to less expenditure on asbestos removal.

Current Year End Forecast Spend £464k against a budget of £454k – an overspend of £11k

The main reasons for this overspend are:

- An overspend of £22k in Voids. This is based on previous year's outturn.
- The forecast for Building Repairs still remains at budget despite a large underspend at the six month mark.
- The forecasts for Pest Control (£5k underspend) and Health and Safety (£2k underspend)

Lancaster West HRA – ARW

Current Year to Date (YTD) Spend to September - £3k against a YTD budget of £21k – an underspend of £18k

The main assumptions are:

- I assume that schemes haven't been approved yet.
- There is also a budget for Regeneration funding of £35,750 for the year. This has yet to be spent.

Current Year End Forecast Spend £43k against a budget of £43k – on budget – plus a Regeneration budget of £35,750

The main assumptions are:

- That there will be schemes approved and actioned to spend the ARW budget.

- That there will be schemes approved and actioned to spend the Regeneration budget.

Summary 2008/09

Reserve position at 31 March 2008 - £546k

For at least several years Lanc West has been adding to its reserves at the end of the financial year. In 2005/06 it increased its reserves from £284k to £423k, in 2006/07 from £423k to £533k and in 2007/08 from £533k to £546k. 2008/09's Company budget was calculated at a deficit to call on reserves by £99k before any additional predicted overspend. If the HRA underspends, as seems likely, the reserves could still increase if that underspend is greater than the Company overspend.

Company – this will be overspent. It was always budgeted to call £74k on the reserves. This will increase by at least £25k to reflect the short fall in income. The risk is that the call on reserves will increase even further with the purchase of the van etc...

HRA – currently this is forecast to overspend. I think this is unlikely, and the risk is that Building Repairs and Health & Safety will be significantly underspent.

ARW – is currently very underspent and forecasting to be on budget. Historically most ARW spend comes at the end of the year, but there is a risk that the ARW and Regeneration forecasts will not be met.

2009/10

Lancaster West Company

Here are our initial high level calculations on the same basis as the Company, indicating the likely level of additional savings required/call on Reserves, to meet the likely Management Fee for 2009/10.

These calculations assume existing staff remain and their costs are uplifted for inflation, and that there are no additional non-salary budgets required. Any growth bids will require further savings/call on Reserves to fund them.

Lancaster West**£'000**

Management Fee 08/09	386
+ 2.5% inflation on £386k	10
Revised Management Fee for 09/10	396

Original 08/09 Salaries budget	391
Revised 08/09 Salaries budget	391
Potential Saving (@ 08/09 prices)	0
Revised 08/09 salary budget	391
First draft 09/10 salary budget	401
Potential inflationary increase	10
1st Draft 09/10 Salaries budget	401

Non-Salary budgets	94
Potential inflation on non-salary budgets @ 2.5%	2
Draft Non-Salaries budgets 09/10	96

Total Draft 09/10 Budget	497
---------------------------------	------------

Additional Savings required to meet revised Management Fee**(102)****Likely Growth Bids required – to be agreed**

Company	£'000s	
NNDR	12	Estimate
Office Cleaning	7	Estimate
Vehicle Running Costs	5	Estimate
Increased Telephones	3	
Remove Savings Pot	12	
Total	39	

Savings

Publicity budget is never spent (£400) – cut it completely?

Virement - I think Damian uses General Hospitality (£600 budget) for AGM Costs – give them an AGM code and move this budget to it.

Total Additional Savings required to meet revised Management Fee (£102K + £39k = £141k).

Lancaster West HRA

Currently 2.5% inflation has been added to all expenditure codes.

Should further growth bids be added to cover additional Void costs?

An additional £250k has been added to Technical Building Repairs to cover anticipated costs of the new contract – should an element be transferred to Lanc West, or should an additional amount be factored in for their element of the contract?

Should any growth bids for compensation in North and South also be included for Lanc West?

Should elements of the Cleaning and Refuse contracts be split out to reflect Lanc West's share? Should the budget move with them, or be funded from within existing Lanc West HRA budgets?

Lancaster West ARW

ARW budgets remain at 2008/09 level. Amount of carry forward dependent 2008/09 expenditure.

Summary 2009/10

Reserves – seem likely to fall this year, as based on last year's HRA outturn, the company deficit will almost be larger than the HRA underspend. Unless savings are made on the company, or income increased, the reserves look likely to continue falling. Are we aware of a minimum sum that should be kept?

Company – the deficit looks likely to continue to increase unless significant savings can be made. Additional costs currently funded by the TMO have been identified and should be included in the budget. This does not include the costs of providing services such as finance or HR.

HRA – continues to be underspent. Is this because the budgets were set too high originally, are repairs etc not being undertaken when they should, or are they wrongly being charged to the TMO?

ARW – if reserves carried forward from 2007/08 are spent in 2008/09, the funding for 2009/10 will be significantly reduced. Especially if the Regeneration funding also comes to an end.



LANCASTER WEST ESTATE MANAGEMENT BOARD

ESTATE OFFICE GRENFELL TOWER ESTATE OFFICE ITQ
GRENFELL TOWER
LANCASTER WEST ESTATE
LONDON W11 1TQ
TEL:
FAX:

ESTATE MANAGEMENT BOARD LANCASTER WEST

TITLE OF MEETING EMB – BOARD

Date: Tuesday 28TH October 2008

Venue: Lancaster West EMB rooms.

1. Keith Miles (KM) Board Member (Chairperson)

2. T. Miles (TM) Board Member (Secretary)

AGENDA

1. Dougal Steward Hearing

2. Apologies

3. Minutes

4. Extension of Management Agreement (Right to Manage) update

5. EMB New Constitution

6. Carnival Report

7. Any Other Business
Damian Donnelly (DD)

Low from reserve already agreed.

*Quintin Re
Board is an
issue.
Partnership
between Board, Estate
Manager & Staff
R.B. had argued with DD to
see it up & running &
financed - why bothered
Property fitted out office, new
contract, telephone, photocopier,
working PC / DMB/TTA
Office. Agreed £500.*

Vicky Siddiqui

*Report
board to
next meeting
a Sat. morning
@ 10.30*

*New members' pack -
up to date Tenants'
Handbook
- list of staff + jobs noted
Miles
- Brown's plan
- Code of conduct
- Declaration of
interests (annual)
- Useful numbers
- Training ops.
- Training of residents
- list of residents'
facilities & drawings
- opp to visit school
& see where
residents*

To Mr K.Miles cc Mr M. Cockell leader of the R B K C council

Demand for an E.G.M of the Lancaster West E.M.B.

We the undersigned, as shareholders in the Lancaster West E.M.B. demand an extraordinary general meeting to effect the following

1)

2)

3)

4)

5)

6)

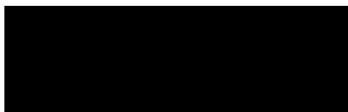
Any communications should be through Mr Dougal Steward



LANCASTER WEST ESTATE MANAGEMENT BOARD

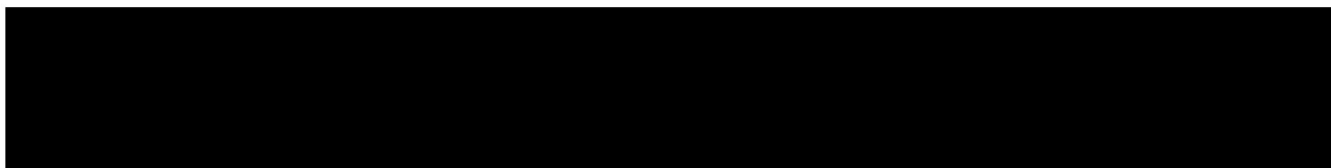
ESTATE OFFICE
GRENFELL TOWER
LANCASTER WEST ESTATE
LONDON W11 1TQ
TEL:
FAX:

Councillor Judith Blakeman



16 September 2008

Dear Councillor Blakeman



You will appreciate that this is a confidential matter and therefore should not be discussed publicly. There will be interim management arrangements put in place, and the EMB Board will be informed of these in due course.

In the meantime, should you have any queries please do not hesitate to contact Mrs Sheila Belgrave, Director of Housing Management and Business Improvement on telephone number [REDACTED]

Yours sincerely

Keith Miles
Chair
Lancaster West EMB

THO: 5/9/08

Helen Swann, Ian Warner

JS, EDC

THO renders annually 05/06
06/07
07/08

ca 100

60

-44%

+80%

=30% over 2 yd

Tendering for gas - process & changes

Centrica 89% bottle price of gas this year - Internet links to be sent
Difference betw bottle purchase & domestic purchases?
But both should be less not more.

12

35

360

60

420.

Why does procurement process end up
costing more?

Is now nearer the market price ??

Comparing price for the contract not possible

Awaiting KD before telling residents :-

needs 28 days notice

spread over 12 month period

mitigation but v. little money

in HRA & no THO

reserves

implants

end Oct

out-act

Suggestion: April SC agreement - estimate of 10 h+h

further chge Oct = twice yearly chge

Oct chge identifies h+h as cause.

Capital pay only from 2002, previously was RHC. Decisions Δ annual
based.

Maintenance

Price of gas affects more when per maintenance

Communal heating systems RSKC of eg Brent, many more

TMO has 1 yr reqs = better = procurement strategy.

Time to change.

RSKC financial assistance

Greenfell Tower, gas company "being pressed to act"

TMO being blamed for issues not its fault - historical issues.

12 years of TMO

RSKC = Landlord & freeholders

TMO = managing agent only with resources made avail
& within terms of agreement

eg. rent set by = BMO

procurement = TMO

Is RSKC being charged more per km for gas than other boroughs?

Are gas suppliers acting as a cartel?

TMO has to talk buy so has to go out to tender

Q no has to be annual - cd chg but reqs leaseholder agree

Communal heating systems - in RSKC = old & inefficient

Decent homes standard → requires thermal comfort
modern facilities

HE to check

← ability for individual control

HW to see if comparable past years' figs can be

obtained for communal heating blocks - HW to respond.

HE to copy explanatory leaflet to residents to us.

Formula for allocation if EMB gets right to manage: apply it to current allocations.

Robert Regan

From: Robert Regan
Sent: 03 September 2008 16:48
To: Helen Evans
Subject: URGENT: Meeting On Friday 5th September
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Helen

Sadly I have been made aware a open note naming Karim, myself and other members Lancaster West Estate Staff regarding Fridays meeting has been placed on the shared calendar under the meeting organiser for all to see. We was under the impression that this meeting would be held under the strictest confidence.

Regards

Robert Regan

03/09/2008

MET00040869/118
ME100040009_0110

Seamus Dunlea

Subject: Karim Daboh
Start: Fri 05/09/2008 09:00
End: Fri 05/09/2008 09:30
Recurrence: (none)
Meeting Status: Meeting organizer
Required Attendees: Sheila Belgrave

Sheila,

I've arranged this through Robert Regan who is acting for the four members of staff at Lancaster West. Karim wants to see you and Helen on his own, and then the others will join him at 9.30 am. They also want the meeting minuted, so I've agreed to do that,

Jane

Judith Blakeman

From: <Sue.Daniels@rbkc.gov.uk>
To: <Cllr.Blakeman@rbkc.gov.uk>
Sent: 01 August 2008 15:05
Subject: RE: Lancaster West

Dear Cllr Blakeman,

Just to say that a senior officer from the TMO has just reported to me that he has visited Lancaster West, and everything seems to be in order.

I will get back to you next week, following the meeting on Tuesday.

Yours sincerely,

Sue Daniels
Chief Housing Officer
Royal Borough of Kensington and Chelsea
Room 140 (4) Town Hall
Horton Street W8

Email sue.daniels@rbkc.gov.uk

telephone [REDACTED]

fax [REDACTED]

From: Judith Blakeman [mailto:[REDACTED]]
Sent: 01 August 2008 11:05
To: Daniels, Sue: HHASC-Housing
Subject: Lancaster West
Importance: High

Dear Mrs. Daniels

We are obviously having trouble making an arrangement to meet.

Can you please, in the meantime and if it has not already happened:

1. send someone to the Lancaster West estate office to calm the situation down; and
2. ensure that EMB staff stop visiting residents who have signed the request for an extraordinary general meeting. Those who have been visited have been upset by this.

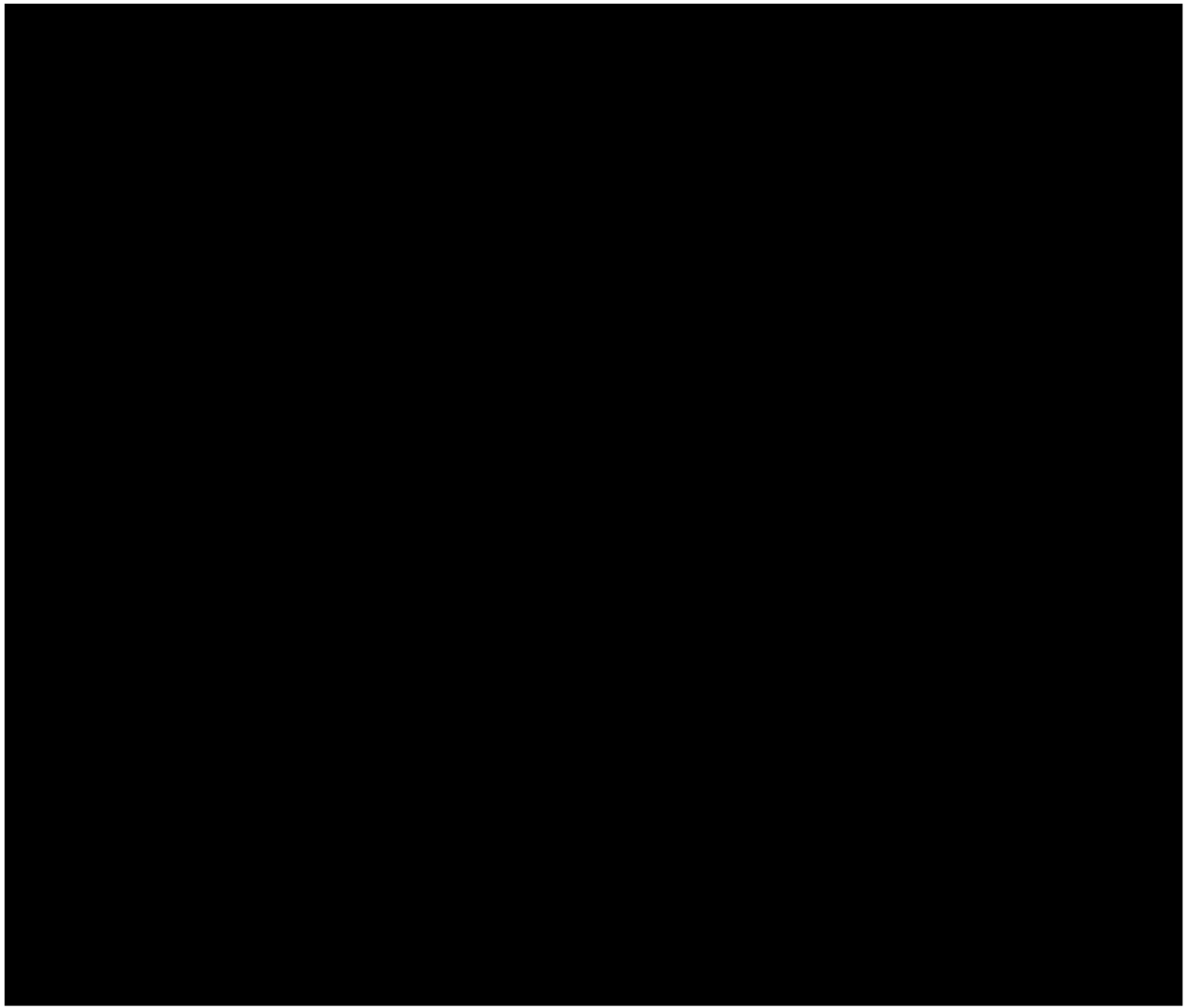
Can you please confirm when these two things have been done?

Many thanks.

Cllr. Judith Blakeman

03/08/2008

MET00040869/120
MET00040869_0120





Property [REDACTED] 1 7 Current

Address [REDACTED]

Management Area KLX024 LANCASTER WEST

Tenant [REDACTED]

Cyclic Summary Summary Sub Accounts Account Totals HB Summary SP Summary DRFP Documentation

Tenancy Dates 19.03.1990

Payment Method SWIPE CARD

Tenancy Type [REDACTED]

Rent Account - Balances

Rent Account - Current Cycle Information



Current Balance [REDACTED]

Gross Debit [REDACTED]

Start Date 07.04.2008

Sub Accounts 250.00 1

Net Debit [REDACTED]

Annual Rent 7688.05

Completed on 17.07.2008

Payments This Cycle 0.00

Subject: 200812297 - [REDACTED]

Attachments: Picture 006.jpg; Picture 004.jpg; Picture 005.jpg

Our operative attended to the above works order on 15.07.08 and reported that a surveyor is required to attend this property as the kitchen units are beyond repair.

Please see pictures attached.

Thank you

Asiya Masood
Customer Service Officer
Connaught plc
127-129 The Network Hub
300 Kensal Road
London W10 5BE
Tel: [REDACTED]
Fax: [REDACTED]
asiya.masood@connaught.plc.uk

Business in the Community (BiTC) Team of the Year 2008 for Community Impact

RoSPA Gold Awards - Connaught now have 15 in total

Winner of Partnering Contractor of the Year Award in 2005 and 2007

Tenant Care Scheme of the Year 2007

Please visit our website to see a full list of Connaught's Registered Companies
www.connaught.plc.uk/Investors/Registered-Companies

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Connaught plc, Head Office [REDACTED]

This email message has been scanned for viruses by Mimecast.
Mimecast delivers a complete managed email solution from a single web based platform.
For more information please visit <http://www.mimecast.com>

25/07/2008

MET00040869/124
ME100040003_0124



Property [REDACTED]

2 4

Current

Address [REDACTED]

Rent Group RIGHT TO BUY

Number of Tenants 1

Area Manager [REDACTED]

Main Details

Contact Details

More Details

Miscellaneous Details

Application 0

Tenancy Type [REDACTED]

Payment Method SWIPE CARD

Arrears Category [REDACTED]

Arrears Officer [REDACTED]

Service Charges

Date Commenced 31.01.2000

Tenancy Dates 31.01.2000

Start Reason RIGHT TO BUY

End Reason

Print Rent Book None

Print Statement No

Tenant Password

Ethnic Origin [REDACTED]

First Language [REDACTED]

Lead Tenant [REDACTED]

Joint Tenant

Rent Account - Balances

Current Balance

Arrears Balance

Arrears Incl. Sub Accounts

Rent Account - Current Cycle Information

Rent Account - [REDACTED]

Completed on 22.07.2008



« 09:47

Property XXXXXXXXXX 2 4 CurrentAddress XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Management Area KLX024 LANCASTER WEST

Tenants XXXXXXXXXXCyclic Summary | Summary | Sub Accounts | Account Totals | HB Summary | SP Summary | DRFP | DocumentationAccount R0 - RENT ACCOUNT

Cycle	Start Date	Rent Debit	Rent Adjust	Cyclic Benefit	Benefit Adjustment	Income	Misc	Actual Balance
0804	25.06.2008	678.95	0.00	---	---	---	0.00	
0801	25.03.2008	688.95	0.00					
0710	25.12.2007	704.23	0.00					
0707	25.09.2007	704.23	0.00					
0704	25.06.2007	704.23	0.00					
0701	25.03.2007	704.23	0.00					
0610	25.12.2006	578.20	0.00					
0607	25.09.2006	578.20	0.00					
0604	25.06.2006	578.20	0.00					
0601	25.03.2006	578.20	0.00					
0510	25.12.2005	444.69	0.00					
0507	25.09.2005	444.69	0.00					
0504	25.06.2005	444.69	0.00					
0501	25.03.2005	444.69	0.00					

**Main**

Property [REDACTED] 2
Property Type DWEL MAISONETTE
Address [REDACTED]
Tenant [REDACTED]

Linkage

Property	Tenancy	Link Start	Link End
[REDACTED]	2	01.01.2007	
[REDACTED]	3	01.01.2007	
[REDACTED]	2	06.11.2000	
[REDACTED]	1	06.11.2000	

Property Type PARK GARAGE
Address [REDACTED] LONDON
Tenant [REDACTED]



Property [REDACTED] 2 5 Current
 Address [REDACTED]
 Rent Group RENT WKLY Number of Tenants 1
 Area Manager [REDACTED]

Main Details Contact Details More Details Miscellaneous Details

Application 0
 Tenancy Type [REDACTED]
 Payment Method SWIPE CARD
 Arrears Category [REDACTED]
 Arrears Officer [REDACTED]
 Service Charges [REDACTED]

Date Commenced 10.11.1997

Tenancy Dates 10.11.1997

Start Reason MUTUAL EXCHANGE

End Reason

Print Rent Book None £

Print Statement No £

Tenant Password [REDACTED]

Ethnic Origin [REDACTED]

First Language [REDACTED]

Lead Tenant [REDACTED]

Joint Tenant

Rent Account - Balances £

Current Balance 234.92

Rent Account - Current Cycle Information

Gross Debit [REDACTED]

Housing Benefit [REDACTED]

SP Benefit [REDACTED]

Net Debit [REDACTED]

Rent Account [REDACTED]

Completed on 25.07.2008



Property [REDACTED] 2 5 Current

Address [REDACTED]

Management Area KLX024 LANCASTER WEST

Tenants [REDACTED]

Cyclic Summary Summary Sub Accounts Account Totals HB Summary SP Summary DRFP Documentation

Account R0 - RENT ACCOUNT

Cycle	Start Date	Rent Debit	Rent Adjust	Cyclic Benefit	Benefit Adjustment	Income	Misc	Actual Balance
0818	28.07.2008	144.50	0.00	0.00	0.00	0.00	0.00	
0817	21.07.2008	144.50	0.00					
0816	14.07.2008	144.50	0.00					
0815	07.07.2008	144.50	0.00					
0814	30.06.2008	144.50	0.00					
0813	23.06.2008	144.50	0.00					
0812	16.06.2008	144.50	0.00					
0811	09.06.2008	144.50	0.00					
0810	02.06.2008	144.50	0.00					
0809	26.05.2008	144.50	0.00					
0808	19.05.2008	144.50	0.00					
0807	12.05.2008	144.50	0.00					
0806	05.05.2008	144.50	0.00					
0805	28.04.2008	144.50	0.00					



Property [REDACTED] 1 9 Current
Address [REDACTED]
Tenants [REDACTED] Age Years Age

Account **R0 - RENT ACCOUNT**

Summary | Action History | Arrangement History | Balance History | Occupancy Dets | Documentation

Tenancy Dates 03.08.1992 Tenancy Type [REDACTED]
Payment Method SWIPE CARD Linked Tenancy
Latest Action [REDACTED] 26.02.2007 Udd5 title
Current Arrangement Y Arrangement Start Date 17.02.2003 Udd6 title
Payment Plan Status None
Payment Plan Kept? [REDACTED]

Current Cycle Information

Gross Debit [REDACTED]
Housing Benefit [REDACTED]
SP Benefit [REDACTED]
Net Debit [REDACTED]

Last Clear [REDACTED]

Balances

Current Balance [REDACTED]
Arrears Balance [REDACTED]
Sub Accounts [REDACTED]

Notice Details

Property XXXXXXXXXX 1 9 CurrentAddress F XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Management Area KLX024 LANCASTER WEST

Tenants XXXXXXXXXXCyclic Summary | Summary | Sub Accounts | Account Totals | HB Summary | SP Summary | DRFP | DocumentationAccount R0 - RENT ACCOUNT

Cycle	Start Date	Rent Debit	Rent Adjust	Cyclic Benefit	Benefit Adjustment	Income	Misc	Actual Balance
0818	28.07.2008	128.07	0.00	0.00	0.00	0.00	0.00	
0817	21.07.2008	128.07	0.00					
0816	14.07.2008	128.07	0.00					
0815	07.07.2008	128.07	0.00					
0814	30.06.2008	128.07	0.00					
0813	23.06.2008	128.07	0.00					
0812	16.06.2008	128.07	0.00					
0811	09.06.2008	128.07	0.00					
0810	02.06.2008	128.07	0.00					
0809	26.05.2008	128.07	0.00					
0808	19.05.2008	128.07	0.00					
0807	12.05.2008	128.07	0.00					
0806	05.05.2008	128.07	0.00					
0805	28.04.2008	128.07	0.00					





Property [REDACTED] 1 6

Current

Address [REDACTED]

Rent Group RENT WKLY

Number of Tenants 1

Area Manager [REDACTED]

Main Details

Contact Details

More Details

Miscellaneous Details

Application 0

Lead Tenant [REDACTED]

Tenancy Type [REDACTED]

Joint Tenant

Payment Method SWIPE CARD

Rent Account - Balances

££

Arrears Category [REDACTED]

Arrears Officer [REDACTED]

Service Charges

Date Commenced 05.10.1987

Tenancy Dates 05.10.1987

Start Reason UNKNOWN

End Reason

Print Rent Book None

££

Print Statement No

££

Tenant Password

Ethnic Origin UNKNOWN

First Language [REDACTED]

Rent Account - Current Cycle Information

Property [REDACTED] 1 6 Current

Address [REDACTED]

Management Area KLX024 LANCASTER WEST

Tenants [REDACTED]

Cyclic Summary | Summary | Sub Accounts | Account Totals | HB Summary | SP Summary | DRFP | Documentation

Account R0 - RENT ACCOUNT

Cycle Start Date	Rent Debit	Rent Adjust	Cyclic Benefit	Benefit Adjustment	Income	Misc	Actual Balance
0818 28.07.2008	143.05	0.00					
0817 21.07.2008	143.05	0.00					
0816 14.07.2008	143.05	0.00					
0815 07.07.2008	143.05	0.00					
0814 30.06.2008	143.05	0.00					
0813 23.06.2008	143.05	0.00					
0812 16.06.2008	143.05	0.00					
0811 09.06.2008	143.05	0.00					
0810 02.06.2008	143.05	0.00					
0809 26.05.2008	143.05	0.00					
0808 19.05.2008	143.05	0.00					
0807 12.05.2008	143.05	0.00					
0806 05.05.2008	143.05	0.00					
0805 28.04.2008	143.05	0.00					



Property [REDACTED] 1 6

Current

Address [REDACTED]

Rent Group RENT WKLY

Number of Tenants 1

Area Manager [REDACTED]

Main Details Contact Details More Details Miscellaneous Details

Application 0

Lead Tenant [REDACTED]

Tenancy Type RENT SECURE

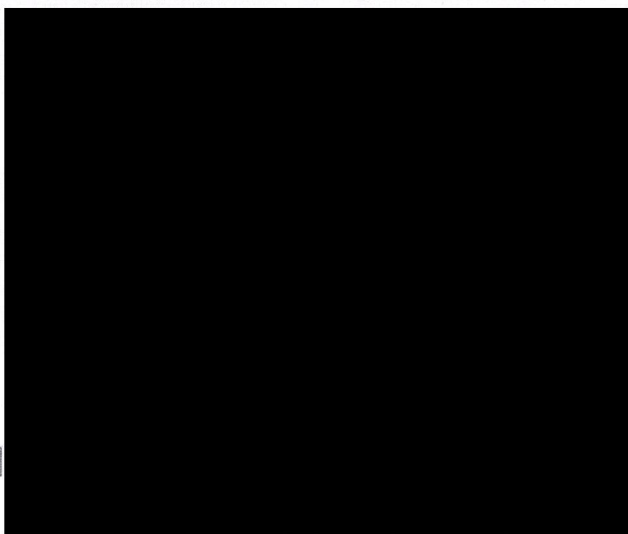
Joint Tenant

Payment Method SWIPE CARD

Rent Account - Balances



Arrears Category



Arrears Officer

Service Charges

Date Commenced 12.10.1987

Tenancy Dates 12.10.1987

Start Reason UNKNOWN

End Reason

Print Rent Book None



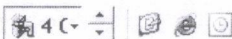
Print Statement No



Tenant Password

Ethnic Origin UNKNOWN

First Language



<< 11:49

Property [REDACTED] 1 6 Current
Address [REDACTED]
Tenants [REDACTED] Age Years Age

Account **R0 - RENT ACCOUNT**

Summary | Action History | Arrangement History | Balance History | Occupancy Dets | Documentation

Tenancy Dates 12.10.1987 Tenancy Type [REDACTED]
Payment Method SWIPE CARD Linked Tenancy
Latest Action [REDACTED] 04.03.2008 Udd5 title
Current Arrangement N Arrangement Start Date Udd6 title
Payment Plan Status None
Payment Plan Kept?

Current Cycle Information

Gross Debit [REDACTED]
Housing Benefit [REDACTED]
SP Benefit [REDACTED]
Net Debit [REDACTED]

Balances

Current Balance [REDACTED]
Arrears Balance [REDACTED]
Sub Accounts [REDACTED]

0

Dates Cycle**Notice Details**



Property [Redacted] 1 6 Current

Address [Redacted]

Management Area KLX024 LANCASTER WEST

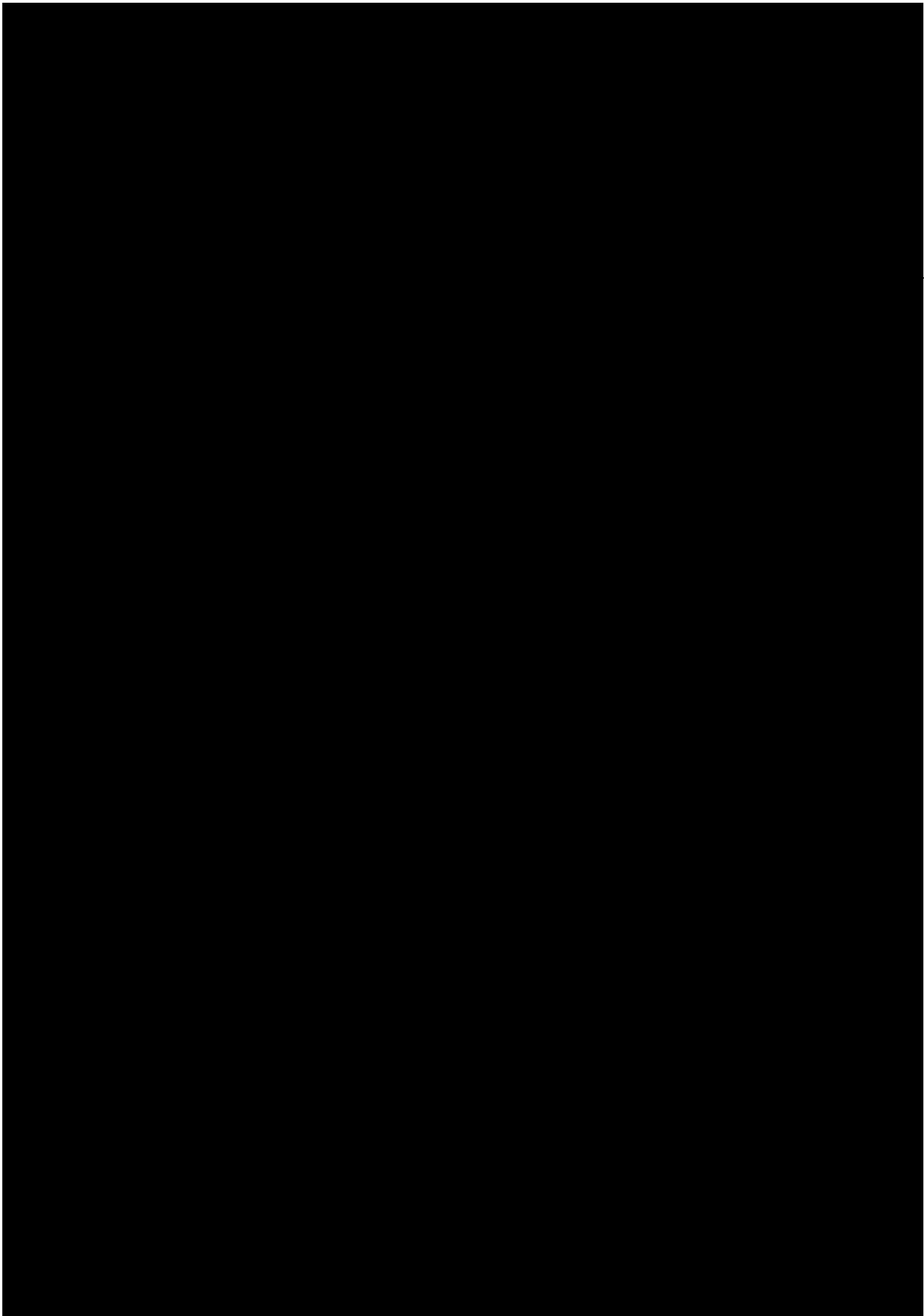
Tenants [Redacted]

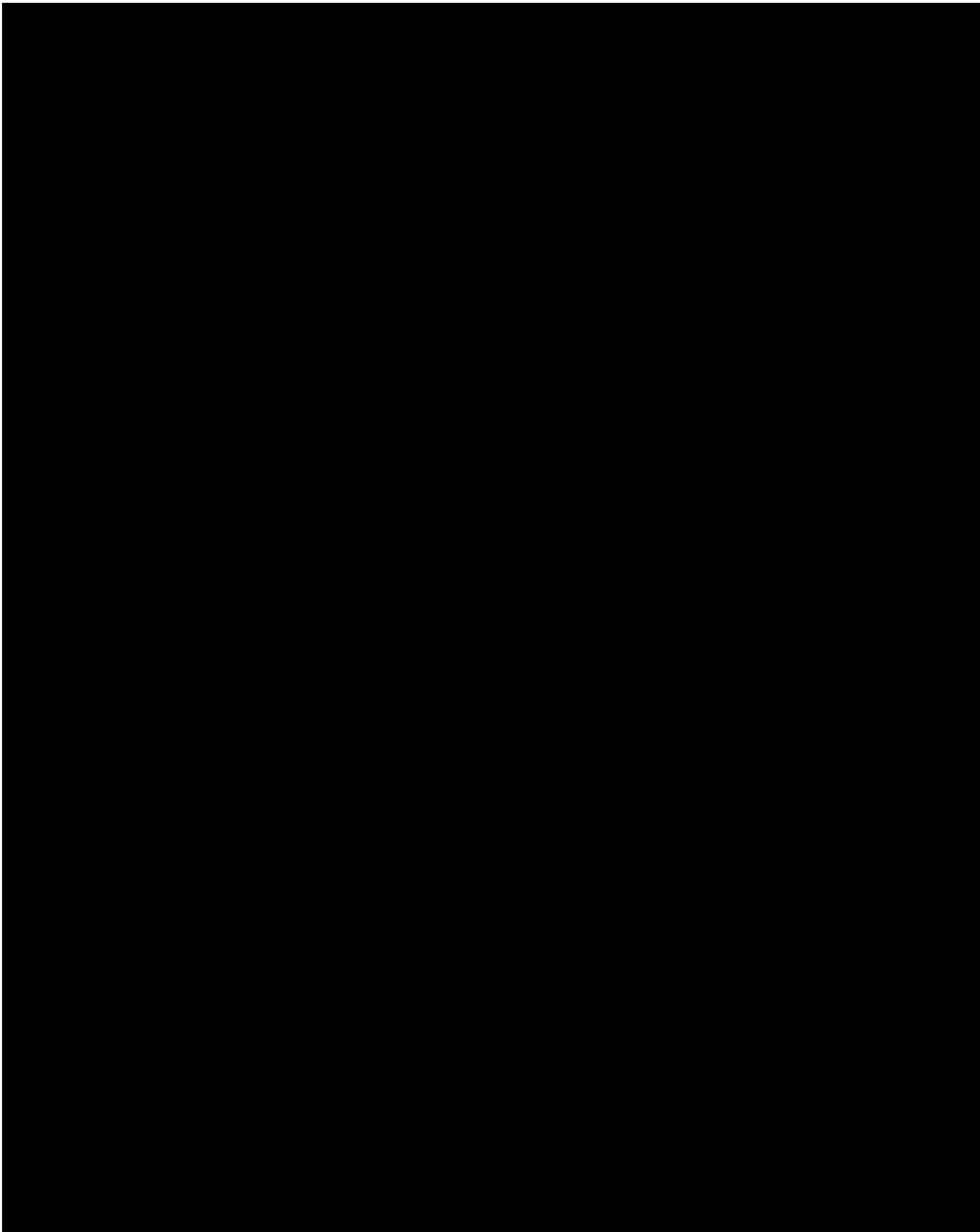
Cyclic Summary | Summary | Sub Accounts | Account Totals | HB Summary | SP Summary | DRFP | Documentation

Account R0 - RENT ACCOUNT

Cycle	Start Date	Rent Debit	Rent Adjust	Cyclic Benefit	Benefit Adjustment	Income	Misc	Actual Balance
0818	28.07.2008	184.96	0.00					
0817	21.07.2008	184.96	0.00					
0816	14.07.2008	184.96	0.00					
0815	07.07.2008	184.96	0.00					
0814	30.06.2008	184.96	0.00					
0813	23.06.2008	184.96	0.00					
0812	16.06.2008	184.96	0.00					
0811	09.06.2008	184.96	0.00					
0810	02.06.2008	184.96	0.00					
0809	26.05.2008	184.96	0.00					
0808	19.05.2008	184.96	0.00					
0807	12.05.2008	184.96	0.00					
0806	05.05.2008	184.96	0.00					
0805	28.04.2008	184.96	0.00					







1 August 2008

Rent arrears information given to me:

[REDACTED]
Arrears balance £1052.13 as at 22 July 08

[REDACTED]
£52.54 as at 17 July 08

[REDACTED]
£1535.37 as at 4 March 08 – but very ill with cancer

[REDACTED]
£90.42 as at 25 July 08

[REDACTED] £109.98 as at 21 May 08

[REDACTED]
[REDACTED] Barandon Walk
Lancaster West

[REDACTED]
[REDACTED]
Lancaster West

And a lady known only as [REDACTED]

JB

LANCASTER WEST ESTATE: 31 JULY 2008

Request for Extraordinary General Meeting submitted yesterday,
requesting, *inter alia*:

- [REDACTED]
- [REDACTED]
- [REDACTED]

Allegations/concerns

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TENANT MANAGEMENT ORGANISATION**

TMO BOARD 10TH JULY 2008

Lancaster West Position statement

Report by the TMO Chief Executive

1.0 Purpose of the report

The purpose of this report is to advise the Board of the current constitutional, management and financial position with Lancaster West EMB. The Board's views are sought on

1. the EMB's aspirations to directly manage local service contracts and staffing, and
2. the most appropriate framework to effectively manage the EMB for the future.

For information and discussion

2.0 Introduction

- 2.1 The attached draft position statement (see appendix A) provides background on the historical development of the Lancaster West Estate Management Board (EMB) in regard to its constitution, management functions and relationship framework with the Council and the TMO.
- 2.2 The paper provides an overview of the current budget and stock investment challenges at Lancaster West and outlines why the EMB Board believes it is well placed to assume increased responsibility for services.

3.0 Key findings from the position statement

- 3.1 The following issues are key to understanding the environment within which the EMB operates:
 - The EMB was formed in May 1993, prior to the introduction of the Right to Manage regulations in 1994, and therefore does not the same status as a RTM TMO.
 - The TMO, with the exception of a local pest control contract, provides all the contractual services, such as cleaning and repairs, and the staffing for Lancaster West. Both the EMB's and TMO's respective management agreements with the Council specify that the TMO is responsible for all the management functions to Lancaster West.
 - Due to the above factors, the EMB's aim of greater autonomy over services could only be achieved through either a voluntary arrangement between the Council,

TMO and EMB or, the EMB would be required to initiate the RTM process to demonstrate its capability to take on these responsibilities.

- The EMB's annual budget allocation has apparently not been reviewed since its inception. It currently receives a repairs budget that is 20% higher per property than the remainder of the Borough. Its staffing and associated company costs are also approximately 70% higher per property than the TMO equivalent.
- The EMB does not receive a training and development budget from the Council for its Board members, to which it may be entitled. This budget would be £14,000 per annum according to the Communities and Local Government formula. This level of funding would be essential if the EMB is to achieve more autonomy over service provision.

3.0 Clienting the EMB

- 3.1 The most significant finding arising from this research is the need for a clearer, more easily defined client role to be established for the EMB, and for this to be reflected in the EMB and TMO management agreements. The current 3 way arrangement of the TMO providing the services and staffing, with the Council monitoring standards and performance, as required the management agreement with the EMB, is complicated. It creates uncertainty in the relationship and respective responsibilities, for example, who should attend EMB Board meetings or the AGM and in the allocation and negotiation of budgets. This requires resolution irrespective of whether the EMB assumes delegated management functions.
- 3.2 The Client role has been under review since 2006. It could be simplified by being delegated to the TMO, a practice which has been in place with neighbouring ALMOs such as CityWest and Brent. This would have the advantage of utilising the TMO's housing/ tenant management experience and expertise to monitor the EMB's performance and service delivery. It would also present an opportunity to re-evaluate the review arrangements and performance standards contained in the EMB's management agreement. These are currently demanding and may need to be adapted to be realistically achievable.
- 3.3 In the longer term, if the EMB does achieve its aim of independence from the TMO, by employing its own staff and procuring and managing its own contracts, the existing 3 way relationship would no longer be required. The Council would then have the option of either taking on the client role solely with no involvement from the TMO, or alternatively it could still delegate this function to the TMO by amending the management agreement, and also give it the responsibility to monitor all locally based TMOs that could develop in Kensington and Chelsea.

**Helen Evans
Chief Executive**

**Contact officer
Ian Twyford** [REDACTED]

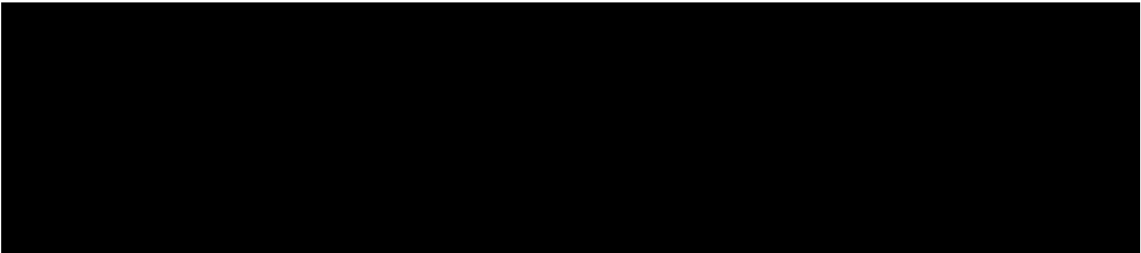
21 August 2008

Dear Keith

I am writing to you as Chairman of the Lancaster West Estate Management Board because I am worried that that EMB is in danger of getting itself into a "TMO-type" situation. I understand that there will shortly be a further petition to call a Special General Meeting, with an agenda similar to that set out in the original petition which was ruled inadmissible.

Mr. Donnelly has sent me a copy of the Rules of the Lancaster West Management Association Ltd. I have studied these and am concerned that the emergency meeting held on 3 July was *ultra vires* and that the decisions taken at that meeting cannot be allowed to stand.

This meeting was not convened within the terms of the Rules of the Association in that seven days' clear notice of the meeting were not given to all members of the Board [Rule 43]. I did not receive notification, nor did the other councillor members of the Board and I do not think that Miss Dainton received notification either. Nor did Messrs. Steward and Bryans, who at that stage were *bona fide* members of the Board.



I acknowledge that in the past we have been rather relaxed about observing the Association's procedures to the letter, but in the light of current attempts to convene Special General Meetings with the express purpose of removing Board members it is vital that the Board's procedures and activities should be transparent and above reproach.

Unlike the TMO, the Rules of the Lancaster West Management Association give no provision for postal ballots or the appointment of proxy voters at Special General Meetings. They provide only for personal voting by those attending the meeting. In view of this, the current Board could find itself in a very difficult position should the second petition for a Special General Meeting succeed and I am most anxious to prevent this situation arising.

A second concern relates to the letter dated 22 May from the Area Manager advising us that [REDACTED] his employment with the TMO will terminate on 29 August. I am not aware of any steps having been taken by the TMO to appoint his successor and we do need to know what is to happen after 29 August with regard to the management of the Estate. Our next scheduled Board meeting is not until Tuesday 30 September, a month after his leaving date. If the Area Manager has changed his mind and will continue in the employment of the TMO, then the Board needs to know this.

My third concern is that I was invited by a letter received this morning to a meeting of the "Lancaster West Area Review Board". I do not know what this body is. If it is in fact a meeting of the Estate Management Board, I note that neither Councillor Hanham nor Cllr. Palmer were invited, nor Miss Dainton. Neither did the letter provide six days' notice and nor does it include an agenda.

I am therefore writing as a Board member to ask that the proceedings of the Emergency Board Meeting held on 3 July be declared null and void. An Emergency Board Meeting should then be convened as quickly as possible in accordance with the Rules of the Association to consider any action that may need to be taken under the Member Code of Practice concerning the behaviour of two Board members at the meeting held on 24 June 2008. Both of these members should be invited to that meeting and given the option of explaining their behaviour. This Special Board Meeting should, if necessary, also consider the future management of the Estate.

I believe that this might go some way to circumventing current attempts to convene a Special General meeting.

In the longer term, I think we should also review the Rules of the association, which I think are lacking in a number of respects.

With kind regards

Judith

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

LANCASTER WEST EMB BOARD MEMBERS CODE OF CONDUCT

Aim: This code of conduct is intended as a way of ensuring that Board members maintain agreed standards and make clear how any potential conflicts of interest can be raised and dealt with.

Process: The code of conduct has been developed by the Board through discussions with Board members. It has been researched and drafted by the Area Manager and presented for adoption at the Board Meeting on 29th April 2008.

EMB Values:

- We value people having a say in decisions that affect the running of their estate.
- We value the trust we have gained as elected representatives of the community we serve
- Through effective partnership working we respect all those who work with us.
- We strive for sustainable solutions in all that we do.
- We value working with integrity to build relationships based on trust and respect.
- We value diversity and constructive critical dialogue involving diverse views and opinions.
- We value our community identifying their own needs and aspirations and managing our community assets.
- We value the principles of democracy, social justice and equality.

The Code of Conduct

Our Beliefs and Principles:

The basis for the code of conduct is a shared set of beliefs and principles that reflect EMB ethics and are consistent with the aims of the organisation. By owning and following these principles, Board Members can know that they are contributing to a collective attempt to improve the estate through regeneration, estate investment, stock options appraisal, community development and responsible management of estate services, finance and budgets. All Board Members are required to sign an EMB Board Member Declaration (**Appendix 1**).

Consistency and Integrity

Board members have a general duty to act in the best interest of the organisation as a whole to represent the community they serve. Board members are volunteers who commit their time and effort to achieving positive social change, rather than for any financial or other material benefit for themselves or friends and family.

In carrying out their role, decisions made by the Board in procuring, awarding contracts and carrying out any other business related to the running of the estate, will always be made on the basis of achieving the best for Lancaster West Estate residents. Board Members commitment to the values and vision of the organisation will ensure they are able to resist attempts that may be made by outside individuals or organisations to seek influence in inappropriate ways. Before accepting gifts or hospitality it is important for Board Members to consider whether it may be thought to be influencing judgement.

Accountability and Transparency

Board members have a duty to comply with the law relating to being a director of the company set out on the 1985 and 2006 Companies Acts and the Financial Services Act 1986.

Board members should be proud to be identified in their association with the Lancaster West Estate and to inform others of their involvement and work on the EMB Board. This means making themselves available and contactable, as opposed to being unseen and unknown. Board members should recognise that they are accountable to the public, to our partners in RBK&C, Lancaster West Management Association Members, the TMO and most importantly to our residents living on the Lancaster West Estate as well as the diverse community groups involved in work on the estate, for the

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decisions taken as elected representatives. By being recognisable, Board members accept to submit themselves to an appropriate level of scrutiny.

Honesty and Openness

Board Members should be aware of the sensitivity of some information that they will have access to and are committed to handling confidential material with due care and consideration.

Decisions of the EMB Board will be made in as open a manner as possible and will seek to avoid any information being withheld unless it is necessary. This includes explaining why decisions have been taken and explaining Board Members' actions.

Board Members must be honest about any conflict of interest between their role as a Board Member and disclose any private interest and any potential conflict of interest. Openness extends to clearly explaining any different roles Board members may play within and outside of the EMB.

Co-Operation and Consensus

In carrying out their role, Board Members should try to focus on finding solutions and positive outcomes for the management of the estate and community resources. This means valuing and accommodating differences of opinion and attempting to focus on shared values. Some situations will prove challenging in finding ways forward when differences of opinion exist, however Board members should be committed to facing up to this responsibility. Where a decision has to be reached on the basis of the majority view, it will be the responsibility of all Board Members to support such a decision as if it were reached by consensus.

Respectful and Valuing Diversity

As a tenant-led organisation the EMB is committed to promoting equalities, valuing diversity, and challenging discrimination as well as actively opposing all forms of discrimination on grounds of gender, race, age, disability, sexual orientation, religion or lifestyle. The EMB has a legal duty to comply with legislation relating to diversity and equality, including Disability Discrimination Acts, Race Relations Amendment Act 2000 and Employment Equality (Religion and Belief) Regulations 2003.

The EMB is committed to challenging and combating discrimination as a managing agent of the Council, through all its working practices, and external work, or similar. This commitment extends beyond simply complying with legislation and in seeking to combat injustice and social inequality. Board Members must be committed to treating everyone equitably, without prejudice and respecting and celebrating the diversity of opinions, experience and background whilst appreciating that any contribution needs to be constructive, respectful and appropriate. Board Members should accept responsibility in challenging discrimination, and discriminatory opinions, in representing the organisation, in meetings or in carrying out other work for the EMB.

Responsibilities and Expectations

The EMB will seek to minimise the cost of Board members carrying out their role and will reimburse all reasonable expenses incurred in carrying out their role (Rule 37). Guidelines for rates and allowances of personal expenses and procedures for reclaiming them are included in the EMB Company Procedures Manual.

Board members are expected to attend EMB Board meetings and to contribute to discussion and decision-making between meetings as far as possible. Unacceptable absence, as defined within the Rules of the Lancaster West Management Association can result in a Board Members being asked to stand down from office (Rule 38).

The EMB will seek to minimise the amount of time required from Board Members Trustees through the provision of email, telephone, and by minimising the number of board meetings.

Dealing with Possible Conflicts of Interest (Rule 36)

Board members should declare any possible conflict of interest where the issue being discussed is:

- of financial interest - that is where a Board Member or their friends and family may directly benefit;

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

- of personal interest or the interest of family and friends - to a point that the decision is likely to be biased as a result;
- likely to be perceived by others as influencing a decision.

In dealing with conflicts of interest, Board Members can ask the Board Member:

- to leave whilst that item is discussed;
- to remain silent during the discussion;
- allow them to remain and participate in the discussion of that item (whilst recognising that the possible conflict exists).

If the Board Members are unsure whether a possible conflict of interest exists, they can consult with the Chair of the Board. The general principle and commitment to openness ensures that Board Members will consider it better to declare a possible conflict of interest rather than assume that none exists.

Conflict of interest declarations (**Appendix 2**) will be circulated annually and signed by every EMB Board Member and a record of all declared interests will be kept by the Company Secretary of Lancaster West management Association. Any changes of personal circumstances that affect a Board Member's interests should be conveyed to the Company Secretary by the next board meeting.

EMB Board Member Declaration of Conflict of Interest (Appendix 1)

I declare that:

I am over 18 years of age

I am not an un-discharged bankrupt

I have not previously been removed by a Court from being a Director of a Company or Trustee of a charity

I am not under a disqualification order under the Company Directors Act 1986

I am not disqualified by the Charities Act (S72) from acting as a Trustee

I understand and am committed to the EMB/Lancaster West Management Association's overall aims, beliefs and principles

I accept my responsibilities and duties as a Board Member/ Director and am committed to acting at all times in the best interests of the EMB/Lancaster West Management Association.

I have read, understood and agree to follow the Code of Conduct for Board Members

I agree to make any possible conflict of interest known, where a decision that personally affects me is being discussed

I agree to notify the Company Secretary of any areas of possible conflict on an ongoing basis

Name:

Signed:

Date:

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

Conflict of Interest Form (Appendix 2)

EMB Board Members will act in the best interests of the EMB/Lancaster West Management Association and our members. As individuals, Board Members have wide-ranging interests in private, public and professional life and these interests may on occasion conflict or overlap. This may be as a provider of goods and services or any other example.

In the interests of openness Board Members will review and identify any possible conflicts of interest.

	<u>Yes</u>	<u>No</u>
Have you received any loans from the EMB/Lancaster West Management Association?	<input type="checkbox"/>	<input type="checkbox"/>
Have you, or people you are connected to (including family and business links), an interest in a contract or other transaction with the EMB?	<input type="checkbox"/>	<input type="checkbox"/>
Have you, or person connected with you, received any material benefit or gain from the EMB/Lancaster West Management Association?	<input type="checkbox"/>	<input type="checkbox"/>

Name:

Signed:

Date:

If you have answered 'yes' to any of the above questions please provide details below:

Please list any areas or subjects which may give result in possible conflicts of interest:

Rules of
LANCASTER WEST MANAGEMENT ASSOCIATION LIMITED

(Registered under the Industrial and Provident Societies Acts 1965)

1. In these Rules 'the Act' means the Industrial and Provident Societies Acts 1965-1978, or any Act or Acts amending or in substitution for them for the time being in force.

NAME

2. The name of the Society shall be Lancaster West Management Association Limited. Hereafter called the society. The Managing Committee of the society shall be called the Board.

OBJECTS

3. The objects of the Society shall be as provided below. In carrying out these objects the Society shall work towards the elimination of discrimination based on race, ethnic origin, nationality, gender, disability, sexuality (lesbians/gay men), marital status, age, class, appearance, religion, responsibility for dependents, unrelated criminal convictions, the fact that a person is HIV positive or has AIDS or any other matter which causes any person to be treated with injustice.
- (a) To carry out the activity of providing housing and any associated amenities on the Lancaster West Estate on behalf of the Royal Borough of Kensington & Chelsea;
- (b) to provide effective management and maintenance of the estate and improve housing conditions;
- (c) to involve the community in decisions made about the estate and so foster a community spirit.

POWERS

4. The Society shall have power to do all things necessary or expedient for the fulfilment of its objects, provided that the Society shall not trade for profit.

REGISTERED OFFICE

5. The Registered Office of the Society shall be: Community Room, Ground Floor, Grenfell Tower, Grenfell Road, Notting Hill, London W11 1TO.

SHARES

6. Shares of the nominal value of 50 pence each shall be issued to persons upon admission to membership of the Society. The shares shall be neither withdrawable nor transferable, shall carry no right to interest, dividend nor bonus, and shall be forfeited and cancelled on cessation of membership from whatever cause, and the amount paid-up thereon, shall become the property of the Society. A member shall hold one share only in the Society.

LIMITED LIABILITY

7. The liability of a member is limited to any amount remaining unpaid on that member's single 50 pence share.

MEMBERSHIP

8. The first members of the Society shall be the signatories to the application for registration. Thereafter the Board:
- (a) shall admit to membership any person aged sixteen or over who is a permanent resident of a dwelling in the property defined in the Appendix to these Rules, and who agrees to be bound by the provisions of these Rules', and
- (b) may at its discretion admit to membership any society, company, firm or Local Authority or an individual nominated as the representative of any unincorporated association which is considered able to make a contribution to the activities of the Society. A corporate body which is a member of the Society shall appoint a representative who shall during the continuance of her/his appointment be entitled to exercise at General Meetings of the Society all rights and powers as the corporate body would be able to exercise if it

were an individual person. Written notification of an organisation's choice of representative shall be sent to the Secretary of the Society.

9. A person who qualifies under Rule 8 above and is aged 16 or over may apply for membership to the Board, and upon acceptance and the payment of 50 pence, the Society shall issue to her/him one share certificate and copy of these Rules, and shall enter her/his name in the register of members. Membership shall not be withheld from any individual qualifying under Rule 8(a) above.

CESSATION OF MEMBERSHIP

10. A member shall cease to be a member immediately if she/he:
- (a) resigns in writing to the Secretary; or
 - (b) ceases in the opinion of the Board to qualify for membership under the provisions of Rule 8; or
 - (c) is expelled from membership in accordance with Rule 11; or
 - (d) dies, if an individual, or is wound up or goes into liquidation, if a corporate body;
 - (e) is an individual nominated by an unincorporated association which is wound up.
11. A member may be expelled by a resolution carried by a majority of no less than two-thirds of those members voting at a General Meeting of the Society of which due notice has been given, provided that the grounds for expulsion have been specified in the notices calling the meeting and that the member whose expulsion is to be considered shall be given the opportunity to state her/his case to the meeting. If on due notice having been served the member fails to attend the meeting the meeting may proceed in the member's absence.
12. No member expelled from membership shall be re-admitted except by a resolution carried by a majority of not less than two-thirds of the members voting at any General Meeting of which due notice has been given.

BORROWING POWERS

13. (a) The Society shall have power to borrow money, including the issue of loan stock for objects of the Society provided that, at the time of borrowing, the sum of the amount remaining undischarged of monies borrowed and the amount of the proposed borrowing shall not exceed £100,000, and that for this purpose:
- i) the amount remaining undischarged of any index-linked monies previously borrowed by the Society or on any deep discounted security shall be deemed to be the amount required to repay such borrowing in full if such borrowing became repayable at the time of the proposed borrowing, and
 - (ii) the amount of any proposed borrowing intended to be index-linked or on any deep discounted security shall be deemed to be the proceeds of such proposed borrowing receivable by the Society at the time of the proposed borrowing.
- (b) In the case of a loan from the Society's bankers, the Housing Corporation, Local Authority, or any other public body, or on a mortgage, the Society may pay such rate of interest from time to time as may be negotiated by the Society but in the case of loans other than mortgage loans from any other source in the Society shall not pay interest at a rate exceeding 1 %per annum above the Barclays Bank plc base lending rate for the time being or 6.5%, whichever shall be the higher.
- (c) The Society shall have power to determine from time to time the terms and conditions upon which money is borrowed or loan stock is issued and to vary such terms and conditions subject to the provisions of this Rule.
- (d) The Society shall not receive money on deposit.
- (e) The Society may receive from any source donations towards the work of the Society.

GENERAL MEETINGS

14. An Annual General Meeting shall be held within six months of the close of the financial year of the Society, the business of which shall comprise:
- (a) the approval of the minutes from the last Annual General Meeting;
 - (b) the receipt of the accounts and balance sheet and the reports of the Board and of the auditor;
 - (c) the election of Board Members;
 - (d) the appointment of an auditor;
 - (e) such other business as may have been included in the notices convening the meeting.

15. All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
16. A Special General Meeting shall be convened either upon an order of the Board or upon a written requisition signed by at least ten percent of the members of the Society or 35 members, whichever is the lesser. If within twenty-one days of the delivery of a requisition a meeting has not been convened, the members who have signed the requisition may convene a meeting in the manner provided for in Rule 17.
17. A General Meeting shall be convened by at least fourteen days' notice in writing posted or delivered to every member at the address recorded in the register of members, specifying whether the meeting is an Annual or a Special General Meeting and stating the time, date and place at which it is to be held. In the case of an Annual General Meeting, the notice shall include details of the general nature of the business to be transacted; in the case of a Special General Meeting the notice shall contain details of the precise nature of the business to be transacted, and no business may be transacted at a Special General Meeting other than that specified in the notices calling it.
18. A notice sent by post to a member's registered address shall be deemed to have been duly served forty-eight hours after its posting. The accidental omission to send any notice to or the non-receipt of a notice by any member shall not invalidate the proceedings at the meeting.

PROCEEDINGS AT GENERAL MEETINGS

19. No person other than a member duly registered shall be entitled to vote on any question at any General Meeting. Each member shall hold one vote only. Votes may only be given personally; proxy voting is not permitted.
20. No business shall be transacted at a General Meeting unless a quorum is present. A quorum shall be ten percent of the membership or fifteen members, whichever is the lesser, subject to an absolute minimum of six, members.
21. If within half an hour after the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned until a day between fourteen and twenty-eight days after the date set for the original meeting, and notice shall be given to all members of the adjourned meeting as of the original meeting. If at such an adjourned meeting a quorum is not present within half an hour after the time set for the meeting, then the members present shall constitute a quorum.
22. The Chairperson of the Society shall preside at every General Meeting. In the event of her/his absence or unwillingness to act, the Vice-Chairperson shall preside and, in the event of her/his absence or unwillingness to act, the members present shall choose one of their number to be the Chairperson of the meeting.
23. The Chairperson may with the consent of any meeting at which a quorum is present, and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. Where a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of the original meeting, otherwise it shall not be necessary to give any notice of any adjournment or of the business to be transacted at an adjourned meeting.
24. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a secret ballot is, before or on the declaration of the result of the show of hands, demanded by at least two members present. Unless a secret ballot be so demanded, a declaration by the Chairperson that a resolution has on a show of hands been carried or lost and an entry to that effect in the book containing the minutes of the proceedings of the Society shall be conclusive evidence of the fact without proof of the number or proportions of the votes recorded in favour or against such resolutions. The demand for a secret ballot may be withdrawn.
25. If a secret ballot is duly demanded it shall be taken in such a manner as the Chairperson directs, and the result of the ballot shall be deemed to be the resolution of the meeting at which the ballot was demanded.

26. The demand for a secret ballot shall not prevent the continuance of a meeting for the transaction of any other business than the question upon which a ballot has been demanded.
27. In the case of an equality of votes, whether on a show of hands or on a ballot, the Chairperson shall have a second or casting vote.
28. A resolution in writing signed by all members for the time being entitled to vote at General Meetings shall be valid and effective as if the same had been passed at a General Meeting duly convened and held and may consist of several identical documents each signed by one or more members.

OFFICERS

29. The Board shall at its first meeting following the Annual General Meeting elect from its own number a Chairperson and Vice-Chairperson of the Society and of the Board, to serve until the following Annual General Meeting. The Board shall also appoint a Secretary and Treasurer and such other officers as it may from time to time decide, who shall be under the direction of the Board and who shall have those functions specified in these Rules and such other functions as the Board may decide from time to time.
30. Any officer elected or appointed by the Board may be removed by it. In the event of a casual vacancy occurring in any officer post, the Board may appoint such person as they think fit to fill such vacancy.

BOARD

31. Unless otherwise determined by the Society in General Meeting, the Society shall have a Board comprising not more than fifteen and not less than three elected members plus persons co-opted in accordance with the provisions of these rules. Only members aged 18 or over shall be eligible for election to the Board.
32. The initial Board of the Society from incorporation until the first Annual General Meeting shall be appointed by the Founder members.
33. At every Annual General Meeting one-third of the members of the Board, or a number nearest to one third, shall retire. Those to retire shall be those who have served the longest. Each member can hold office for a maximum of three years. In the event of two or more members elected on the same day, those to retire shall, in the absence of agreement, be those who received the fewest votes when last elected to the Board. A retiring Board member shall be eligible to stand for re-election.
34. New Board members shall be elected as follows:
 - (a) Nominations for election to the Board shall be invited from all members of the Society by writing to them at the address recorded in the Register of Members not less than twenty-four days before the date set for the Annual General Meeting.
 - (b) Completed nomination forms must be received at the Registered Office of the Society not less than fourteen days before the date set for the Annual General Meeting. Nominations forms must include: the name and address of the person being nominated, a signed statement by the person nominated of her/his willingness to stand for election; and the name, address and signature of the member making the nomination.
 - (c) The election shall be conducted by secret ballot in such a manner as the Board shall direct, provided that all members of the Society are given clear instructions regarding how they may participate in the election.
 - (d) Only members of the Society or representatives of organisations which are members may stand for election to the Board or may nominate persons to stand for election to the Board.
35. The Board may at any time co-opt any person, whether or not a member of the Society, to serve on the Board in addition to the elected members, subject to the following provisions:
 - (a) Up to five persons may be co-opted with full speaking and voting rights at meetings of the Board. Such voting co-optees shall not be counted for purposes of calculating a quorum but shall otherwise be full members of the Board.

- (b) Up to five persons may be co-opted with no voting rights. Such non-voting co-optees shall not be counted for purposes of calculating a quorum but shall otherwise be full members of the Board.
- (c) Subject to Rule 38, co-opted members of the Board shall serve until the Annual General Meeting following their co-option but shall thereafter be eligible for further co-option.
- (d) Any person co-opted by the Board may be removed by a majority vote of the Board.

The Board may at any time co-opt any member to fill any casual vacancy on the Board provided that members so co-opted shall never exceed one third of the total Board. Priority for co-option shall be given to members who were nominated but not elected at the previous AGM, in order of number of votes cast.

- 36. A Board member shall declare an interest in and shall not vote in respect of any matter in which she/he has a personal financial or material interest and if she/he does so vote, her/his vote shall not be counted.
- 37. Board members may be paid all reasonable expenses incurred by them in attending and returning from meetings of the Board or General Meetings of the Society in connection with the business of the Society, but shall otherwise receive no remuneration.
- 38. The office of Board member shall be immediately vacated if she/he:
 - (a) resigns her/his office in writing to the Society; or
 - (b) being an elected member of the Board, ceases to be a member of the Society, or is the representative of an organisation which ceases to be a member of the Society, or is placed as the representative of an organisation which is a member of the Society, or is an individual nominated as the representative of an unincorporated association which ceases to be a member;
 - (c) is removed by a simple majority vote of the members at a General Meeting of the Society, the notices of which specified that the question of such removal was to be raised; or
 - (d) fails to declare her/his interest in any contract as referred to in Rule 36; or
 - (e) fails to attend a Board meeting for 6 months; or
 - (f) becomes bankrupt.

POWERS AND DUTIES OF THE BOARD

- 39. The activities of the Society shall be managed by the Board who may pay all expenses of the formation of the Society as they think fit and may exercise all such powers of the Society as may be exercised and done by the Society and as are not by statute or by these Rules required to be exercised or done by the Society in General Meeting.
- 40. No regulation made by the Society in General Meeting shall invalidate any prior act of the Board which would have been valid had the regulation not been made.
- 41. The Board may delegate any of its functions to sub-committees made up of members of the Board and such other persons as it sees fit provided that no more than two members of any sub-committee may be persons other than elected members of the Board. Any sub-committee so formed shall in the exercise of its powers conform with any regulations imposed upon it by the Board.
- 42. All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for monies paid to the Society shall be signed, drawn, accepted, endorsed, or otherwise executed in such manner as the Board shall from time to time by resolution determine.

PROCEEDINGS AT BOARD MEETINGS

- 43. Members of the Board may meet together for the dispatch of business at least once per month, and may adjourn and otherwise regulate their meetings as they think fit. A Board may and the Secretary shall at the request of a Board member summon a meeting of the Board at any reasonable time provided that every member of the Board shall receive at least seven clear days' notice of any such meeting.

44. The quorum necessary for the transaction of business at a Board meeting shall be six elected members of the Board.
45. At every Board meeting the Chairperson shall preside, but in the event of her/his absence or unwillingness to act, the Vice-Chairperson shall preside but in the event of her/his absence or unwillingness to act, the members present shall choose one of their number to be Chairperson of the meeting.
46. Questions arising at Board meetings shall be decided by a majority of votes of those present. In the case of an equality of votes, the Chairperson shall have a second or casting vote.
47. If the Board falls below the minimum number as expressed in these rules, the Board shall act to fill such vacancies or to call a General Meeting of the Society, and for no other purpose.
48. A resolution in writing signed by all members for the first time being entitled to-vote at meetings of the Board shall be valid and effective as if the same had been passed at a meeting duly convened and held and may consist of several identical documents each signed by one or more members.

INVESTMENT OF FUNDS

49. The Society may invest any part of its funds:
- (a) in or upon any security in which trustees are for the time being authorised by law to invest;
 - (b) in or upon any mortgage, bond, debenture stock, corporation stock, rent charge, rent or other securities (not being securities payable to bearer) authorised by or under any Act of Parliament passed or to be passed of any Local Authority as defined by the Local Loans Act 1875;
 - (c) in the shares or on the security of any other society registered or deemed to be registered under the Act, or under the Building Societies Act, or of any company registered under the Companies Act, or incorporated by the Act of Parliament, or by Charter, provided that no such investment shall be made in the shares of any society or company other than one with limited liability. The Society may appoint any one or more of its members to vote on its behalf at any meeting of any other corporate body in which the Society has invested any part of its funds.

APPLICATION OF SURPLUS

50. Any surplus shall be applied solely to a general reserve for the continuation and development of the Society.

AUDITORS

51. The Society shall, in accordance with Section 4 and 8 of the Friendly and Industrial and Provident Societies Act 1968, appoint in each year one or more auditors to whom the accounts of the Society for that year shall be submitted for audit as required by the Act, and who shall be invited to General Meetings, and be given access to books and information as provide by the Act.
52. Every such auditor shall be appointed by the Society in a General Meeting, and in the case of any auditor so appointed who is a qualified auditor under Section 7 of the Act, the provisions of Sections 5 and 6 thereof apply to her/his reappointment and removal and to any resolution removing her/him or appointing another person in her/his place.

ANNUAL RETURN

53. Every year, not later than March 31st (or where the Registrar has approved a financial year end other than prescribed in the Act, not later than three months after such date), the Secretary shall send to the Registrar the annual return, in the form prescribed by the Chief Registrar of Friendly Societies, relating to its affairs for the period required by the Act to be included in the return together with;
- (1) a copy of the report of the auditor on the Society's accounts for the period included in the return; and
 - (2) a copy of each balance sheet made during that period and of the report of the auditors on that balance sheet.

RECORDS AND SEAL

54. (a) The Society shall keep at its Registered Office a Register of Members in which the

Secretary shall enter the following particulars:

- (1) the names and addresses of the members;
 - (2) a statement that one share only is held by each member and that 50 pence has been paid, or agreed to be considered as paid on each share;
 - (3) the date at which each person was entered in the register as a member, and the date at which any person ceased to be a member;
 - (4) the names and addresses of all Board members and the Secretary of the Society with the dates on which they assumed office and dates on which they retired from office.
- (b) Any member changing her/his address shall notify the Society.
- (c) The Board shall ensure that proper minutes are kept of all General Meetings of the board and any sub-committees. Such minutes shall include a record of those present and of any decisions taken and shall be available for inspection by any member of the Society at all reasonable times.
- (d) The Society shall have a seal kept in the custody of the Secretary and used only by the authority of the Board. Sealing shall be attested by the signature of two Board members or of one Board member and the Secretary for the time being.

AMENDMENTS TO RULES

55. Any rule herein may be rescinded or amended or a new rule made by a vote of three quarters of the members of the Society present and voting at a General Meeting of which fourteen clear days' prior notice has been given, such notice to include details of the change(s) to be proposed at the meeting. No amendment of rules is valid until registered by the Registrar of Friendly Societies.

DISSOLUTION

56. The Society may be dissolved by the consent of three quarters of the members by their signatures to an instrument of dissolution, or by winding up in a manner provided by the - Act. If on the winding up or dissolution of the Society any of its assets remain to be disposed of after its liabilities are satisfied, the assets shall not be distributed among the members, but shall, in accordance with the object of the Society, be transferred to such organisation or organisations having objects similar to those of the Society as may be decided by the members at or before the time of the winding up or dissolution or, in so far as the assets are not so transferred, then to some other charitable object.

DECEASED AND BANKRUPT MEMBERS

57. (a) Upon a claim being made by the personal representative of a deceased member or the trustee in bankruptcy of a bankrupt member, any property to which the personal representative or trustee in bankruptcy has become entitled may be used as the personal representative or trustee in bankruptcy may direct.
- (b) A member may in accordance with the Act nominate any person or persons to whom any of her/his property in the Society at the time of her/his death shall be transferred, but such nomination shall only be valid to the extent for the time being provided in the Act. On receiving satisfactory proof of the death of a member who has made a nomination, the society shall, in accordance with the Act, either transfer or pay the full amount of such property to the person so nominated.

DISPUTES

58. Any such dispute as is referred to in Section 60(1) of the Industrial and Provident Societies Act 1965 may be referred to and decided by the Chief Registrar of Friendly Societies.

APPENDIX B

THE PROPERTY

List of dwellings and description of other land and property (by postal number and address) which are covered by the terms of this Agreement, and edged in red on the attached map.

Barandon Walk	301-339, 401-439, 501-550
Camborne Mews	1-36
Camelford Court	1-26
Camelford Walk	1-19
Clarendon Walk	1-56
Grenfell Tower	11-16, 21-26, 31-36, 41-46, 51-56, 61-

66, 71-76, 81-86, 91-96, 101-106, 111-

116,

121-126, 131-136, 141-146, 151-

156, 161-166, 171-176, 181-

186, 191-

	196, 201-206
Grenfell Walk	101-111, 201-211
Hurstway Walk	301-339, 401-439, 501-562
Lower Clarendon Walk	1-8
Morland House	1-34
Talbot Grove House	1-45
Talbot Walk	1-6
Testerton Walk	301-339, 401-461
Upper Camelford Walk	1-40
Upper Clarendon Walk	1-40
Upper Talbot Walk	1-12
Verity Close	1-68
Parking Bays, Verity Close	1-20
Hurstway Road Garages	1-66
Testerton Road Garages	1-84
Grenfell Road Garages	1-20
Grenfell Community Rooms	
Estate Office, Grenfell Tower	

EXCLUSIONS

Metro Stores
 Grenfell Crèche
 Dale Play Group
 Grenfell Play Centre
 Illys Booker Play Centre
 3 St Marks Close children's home
 Barandon Road
 Social Services Office, 1st Floor Grenfell Tower

29 July 2008

Sir,

From 1 October the heating and hot water charges paid by Kensington and Chelsea TMO tenants and leaseholders will rise by 80%. This is what the TMO has negotiated for the new gas contract with its suppliers – at a time when Centrica, the parent company of British Gas, says that gas bills "could increase by 70 per cent or more over the next few years". This begs the question as to why the TMO has managed to negotiate such a swingeing increase over less than one year.

The TMO Board says that consideration will be given to residents who will have difficulty paying the new charges. However, the consideration provided in the last round of increased charges was ineffective and only gave a minimal amount of relief to the very worst cases. A whole swathe of residents on low and average incomes were outside the scheme and pushed further into fuel poverty. And this time round the TMO has even less money to help desperate residents with their bills.

The situation will be particularly bleak on the Lancaster West Estate, whose residents already pay far more than double the amount paid by comparable estates, such as nearby Silchester. This is because the systems on Lancaster West are extremely old, inherently inefficient and have not been well maintained over the years. The excessive charges on Lancaster West are even more questionable, however, with the recent revelation that the 25 year old gas meter on Grenfell Tower has been broken since at least the beginning of 2006 and neither the TMO nor its gas suppliers have any idea how much energy has actually been consumed by residents.

Although the TMO Board has been aware of this swingeing increase since June, a leaflet explaining it will not go out until some time in August. Many people therefore will be returning from their summer holidays to face a sudden and devastating addition to their household budgets.

I believe that the TMO should explain the rationale for this increase to all its residents as quickly as possible and take immediate steps to mitigate the extremely unfair situation on the Lancaster West Estate.

Yours sincerely

Councillor Judith Blakeman
Notting Barns Ward

GAS COSTS INCLUDED IN SERVICE CHARGES FOR 2007/08 - AS AT 22 JULY 2008	(Final Service Charge Accounts due by 30 September 2008)		Dec 08 + average 43.5% KD02819/08/H/A		Dec 08 + average 43.5% KD02819/08/H/A		Dec 08 + average 43.5% KD02819/08/H/A
LANCASTER WEST 1	£376,775.00	£391.66	562.03	£587.49	843.05	£783.32	1124.06
OXFORD GARDENS 34-36	£43,430.93	£384.34	551.53	£576.52	827.31	£768.69	1103.07
LANCASTER WEST 3 ESTATE	£198,302.51	£331.89	476.26	£497.83	714.39	£663.77	952.51
TREVERTON ESTATE	£55,248.90	£280.45	402.45	£420.68	603.68	£560.90	804.89
LANCASTER WEST STAGE 8	£18,528.49	£278.62	399.82	£417.94	599.74	£557.25	799.65
KNIGHTS HOUSE	£8,013.06	£250.41	359.34	£375.61	539.00	£500.82	718.68
WARWICK ROAD ESTATE	£78,388.54	£246.46	353.67	£369.69	530.51	£492.92	707.34
CONVENT ESTATE	£54,532.28	£236.07	338.76	£354.11	508.15	£472.14	677.52
MANCHESTER DRIVE 1/82	£40,277.08	£233.49	335.06	£350.24	502.59	£466.98	670.12
WORLDS END ESTATE	£299,160.67	£196.04	281.32	£294.06	421.98	£392.08	562.63
CREMORNE ESTATE	£95,005.47	£183.76	263.70	£275.64	395.54	£367.53	527.41
SWINBROOK ESTATE	£39,958.50	£174.49	250.39	£261.74	375.60	£348.98	500.79
ELM PARK GARDENS ESTATE	£129,861.31	£161.27	231.42	£241.90	347.13	£322.54	462.84
KENSAL NEW TOWN ESTATE	£16,877.08	£144.25	207.00	£216.37	310.50	£288.50	414.00
SILCHESTER EAST & WEST ESTATE	£8,184.66	£139.91	200.77	£209.86	301.15	£279.82	401.54
Average	£97,502.97	£242.21	347.57	£363.31	521.35	£484.42	695.14

LANCASTER WEST E.M.B.

AGENDA

29th July 2008

Those Present

Welcome to new member

Apologies

Minutes of Previous Meeting April/June 2008

Matters Arising

- | | |
|---|---------------|
| 1. Monthly EMB Budget Report | 7.05pm |
| 2. Window Strategy Report | 7.25pm |
| 3. Roof Renewal Report | 7.45pm |
| 4. Draft 2 Business Plan 2008-12 | 8.00pm |
| 5. Quarterly Performance Management Report | 8.15pm |
| 6. Partners in Change On-Line Resource | 8.25pm |
| 5. AOB | 8.30pm |

3. EMB Quarterly Performance Management Report	8.25pm
5. Report Expansion Of Handyman Scheme –Van	8.35pm
6. Stock Options-Additional Papers	8.45pm
7. Carnival Bank Holiday Local Security Arrangements	8.50pm
8. AOB	8.55pm

**ESTATE MANAGEMENT BOARD
LANCASTER WEST**

MINUTES OF MEETING

TITLE OF MEETING **EMB – BOARD**

Date: Tuesday 29 July 2008

Venue: Lancaster West EMB rooms.

Present:

1. Keith Miles (KM)	Board Member (Chairperson)
2. Dr Evan Arkas (EA)	Board Member
3. Geraldine Lord (GL)	Board Member
4. Teresa Miles (TM)	Board Member
5. Patricia Venus (PV)	Board Member
6. C'lr Iain Hanham (IH)	Board Member
7. C'lr Judith Blakeman (JB)	Board Member
8. Iris Wong (IW)	Board Member

Officers in Attendance

10. Damian Donnelly (DD)	Area Manager – EMB
11. Jan Jones (JJ)	Estate Officer

Apologies: Vesna Mitic

	<u>ACTION</u>
1.0 <u>Minutes of previous meeting 3 July 2008 (Emergency)</u>	
1.1 Not discussed	
2.0 <u>Minutes of meeting 24 June 2008</u>	
2.1 Minutes agreed by all.	
2.3 <u>Matters Arising</u>	
2.4 GL-Can contact be made with Portobello Rugby Club and when are they coming back?	DD
2.5 Patricia Venus was welcomed by the Board as a co-optee.	
2.6 Secretary & Vice Chair was expelled due to the Board meeting on 24/06/08.	
2.7 KM invited Board members to be Vice Chair & Secretary.	
2.8 EA recommended GL to the Vice Chair.GL accepted agreed by all.	
2.9 EA recommended TM as Secretary. TM accepted- agreed by all.	
3.0 <u>Monthly EMB Budget Report</u>	
3.1 1 ST quarter finished. Management accounts show a negative variance of £2,082.Due to staffing costs & stationery.	
3.2 Repairs are showing an under spend at this current time but this is of a similar pattern to last year. Main reason is that invoices are recovered in bulk. They should be coming in weekly instead of monthly. There should be time targets but the admin processes by the contractors are unclear.	
3.3 Post inspections need to be maintained as some jobs have not been completed yet invoiced. This makes budgetary forecasting hard to project. Concerns by Board were raised on this issue.	
4.0 <u>Window Strategy Report</u>	
4.1 Grenfell Tower- condition of windows. Report earlier by APT stated that the windows met the Decent Homes Standard but due to health & safety concerns Shreeves (chartered surveyors) were brought in.	
4.2 Issues investigated at the TMO Property Management Committee meeting were such as cleaning, health & safety and removal of windows.	
4.3 Jackloc restrictor system recommended but does not provide a means of locking windows in closed position, merely restricting their use.	

	<u>ACTION</u>
4.4 EA mentioned whether the leaseholders will be liable for these improvements.	
4.5 DD-landlords are responsible for the structure i.e. the frame so further consultation is need with TMO Leaseholder Services.	
4.6 Concerns were raised by the Board due to the health & safety implications. Also due to the child fatality at Whitstable House if the windows are a danger to children then action is needed quickly	
4.7 TMO Property Management Committee is responsible in moving this issue along so the Board needs to apply pressure.	EMB
4.8 An urgent response is need from Helen Evans in respects of TMO responsibility as the Board are not technically minded and when will this be implemented	DD
5.0 <u>Roof Renewal Report</u>	
5.1 Currently roof works are about to be implemented at Grenfell Tower, Clarendon Walk, Talbot Walk & Camelford Court by Apollo. Camelford Court - even though the roof was renewed in 1998 the warranty has run out and drainage has not be done.	
5.2 Concerns raised about management fees in regards to major works contacts. DD to look into this.	DD
6.0 <u>Draft 2 Business Plan 2008-12</u>	
6.1 Update is need on the description of Lancaster West Estate.	
6.2 Steven Evans-RBKC needs to be contacted on Estate statistics.	DD
6.3 Information needs to be collated for the business plan and what are the objectives. John Wilkinson RBKC to be contacted to ask Dartington for an update.	
6.4 The Board need to meet up either a weekend/day time for a business planning session.	
6.5 Bring in a consultant after a draft is produce or bring in a facilitator.	
6.6 Core housing services hitting the top quartile.	
6.7 Financial & Risk strategy- needs to be done	
6.8 Governance Strategy- company constitutions can be downloaded from websites.	
6.9 There are also 2 management agreements already in existence.	

- The second one enhances the 1st one.
- 6.10 Angel Town EMB in Lambeth developed a design of solar panels for their properties. Could be a good example for the Board to follow. DD to make contact to arrange a visit.
- 6.11
- 7.0 **Quarterly Performance Management Report**
- 7.1 Percentage of tenants showing more than 7 weeks in arrears is still several points below the top quartile. Further improvements are necessary.
- 7.2 A.E.Williams taken over by Connaught plc. A sub contractor of Connaught based at Lanc West was mainly responsible for void turnaround being the lowest in London. But due to financial problems at Connaught other sub contractors were brought in, which increased the turnaround from 23 days to 42 days,
- 7.3 We are trying to opt out of the SLA agreement but we were told that this is not possible.
- 7.4 The Board also needs to demonstrate that under their agreement we can opt out (currently looking at the legal position of the Management & Service Level agreement)
- 7.5 Handyman Service- van has been on order but the TMO are now hesitant in expanding the service.
- 8.0 **Partners in Change Online Resource**
- 8.1 Board stated they would like to bring in a consultant to extend the Management Agreement to explore options for greater community involvement and empowerment through greater control over services delivered.
- 8.2 Partners In Change has a list of specialist agencies with credibility that provide information on specific arrears we are looking into.
- 8.3 Agencies such as TPAS Ltd, First Call etc can do work on governance strategy and board training.
- 8.4 There are 6 models of neighbourhood governance which can be downloaded.
- 9.0 **A.O.B**
- 9.1 JB bought up the issues of the communal heating system in regards to the meter readings at Grenfell Tower via an issues raised by a resident complaint. The meter has not been working for quite some time and we are still receiving estimates from British Gas.

ACTION

DD

DD

*TPAS contacted.
Simon Rankin, ex
RASC. Notice to be
served that CMB wish
to extend management
agreement to place with
resp from M.O.*

- 9.2 Charges need to be specified by British Gas. Are these charges accurate? What are the unit costs? Are they accurate? What are the overall consumption levels? We need to consult with a solicitor about these under estimated charges.
- 9.3 These need to be verified as implications for our budget and income as this will be passed onto our residents.
- 9.4 JB also inform the Board about the WELL Notting Barns Project. They are concerned with improving the health of ward residents covering Lanc West and Allom & Barlow Estates (which are very poor). They have been awarded £100,000 over 3 years. Outreach contract health workers employed over the two Estates. Currently looking for facilities.
- 9.5 St Marks Children Home-ASB update. Police surgery and meeting of professionals have taken place over the past month which recommended increased communication between residents, Police and Lanc West/ Social Services.
- 9.6 Copy of petition to be sent to the Police Borough Commander about the noise nuisance at St Marks Close

ACTION

DD/JB

Agreed a correct record

Chair of the Board

The Lancaster West Management Association

LANCASTER WEST EMB –29th July 2008

REPORT BY AREA MANAGER
REPORT GRENFELL TOWER & LANCASTER WEST WINDOW
STRATEGY REPORT

1.0 PURPOSE OF REPORT

The attached report from Shreeves follows an earlier report by ATP entitled “Feasibility Study for Grenfell Tower and Lancaster West Stage 1 –increasing safety and security to existing windows issued in January 2008.

FOR INFORMATION

2.0. BACKGROUND

- 2.1 The attached report from Shreeves takes into consideration recommendation by ATP following their survey of the windows on Grenfell Tower and Stage 1 of the estate.
- 2.2 A review of the information contained in the ATP report has been undertaken by Shreeves following a site survey with Apollo and TMO personnel.
- 2.3 ATP earlier identified a range of measures that could be implemented in order to improve the health and safety of the existing arrangement of the windows.
- 2.4 Shreeves have examined these measures in more detail and have produced various proposals outlining benefits and disadvantages.
- 2.5 Once a preferred option and approval for a system has been made Shreeves will provide budget estimates for that system on a flat by flat basis.

FOR INFORMATION



shreeves

Chartered Surveyors

Project Managers
Quantity Surveyors
Building Surveyors
CDM Co-ordinator



FS23506

GRENFELL TOWER AND LANCASTER WEST

WINDOW STRATEGY REPORT

On behalf of

THE ROYAL BOROUGH OF KENSINGTON & CHESLEA
TENANT MANAGEMENT ORGANISATION.



A Hill International Company

Job ref: 2127/reports/feasibility/window strategy report/01
Date: 15th July 2008

MET00040869/169
MET00040869_0109



WINDOW STRATEGY REPORT GRENFELL TOWER AND LANCASTER WEST ESTATE

JULY 2008

INTRODUCTION

This report has been compiled taking into considerations the recommendations made with ATP's report entitled Feasibility Study for Grenfell Tower and Lancaster West Stage 1 – Increasing Safety and Security to Existing Windows Issued January 2008.

We have undertaken a review of the information within the report and have developed their proposals with further information and strategies in order to maximise the health & safety benefits of the accepted system.

OVERVIEW OF ATP's REPORT

The content of ATP's report outlines a range of measures that could be implemented in order to improve the health & safety of the existing arrangement of windows.

The two main issues regarding securing and restricting the highlighted are;

"The existing catches do not lock the windows therefore they can be opened without the use of a key or removable opening device, which is unsuitable for children's rooms"

And;

"The inner sash, although having a second (restricted) position for the catch, allowing the window to be partially opened, does not lock the window in this position. This allows the window to be fully opened without the use of a key or removable device"

Essentially this is the same problem in that the windows do not have the facility to be permanently secured to minimise the risk of children opening the windows and the associated implications.

ATP confirm that they "have therefore had to rely on sourcing catches which have been primarily designed for other purposes". We believe that this is a feasible option subject to the locking devices being the correct size in order to engage into the window sash. We have sourced the type of locking mechanisms specified by ATP and feel that packers would be required in some cases in order for the bolt to miss the aluminium upstand rail and engage into the sash. However, this might not be the case on all windows due to the various tolerances involved.

The fixing of an aluminium strip to the window frame directly would be difficult and reliable in most instances as the upstand rail is not thick enough to accommodate a fixing without compromising the operation of the window. However, the fitting of an aluminium angle along the length would be a more feasible option as it is possible to be screw fixed down into the cill although not the most aesthetically pleasing option. The aluminium angle would require to be fitted with anti vandal screws in order to minimise the potential for unauthorised removal.



**WINDOW STRATEGY REPORT
GRENFELL TOWER AND LANCASTER WEST ESTATE**

JULY 2008

OVERVIEW OF ATP's REPORT (Cont'd)

Looking at this principle we feel that the aluminium angle would not require to extend the full length of the window aperture as a small strategically placed angle would be sufficient to prevent the removal of the inner pane thus preventing the removal of the outer pane.

ATP also recommend the insertion of an anti lifting device in the form of aluminium packers at the head of the window fixed into the frame. This would in theory prevent the window from being lifted up thus reducing the risk of the removal of the sash. Due to the nature of existing windows and the range of tolerances involved it would be difficult to retro fit a standard depth of aluminium in the restrictive space between the top of the window and the frame. A standard dept of packer would not always fit so it would be difficult to standardise the technique. The use of the aluminium angle would negate the use of a packer, and a standard technique could be employed to all of the windows concerned.



CONSIDERATIONS OF SECURITY/RESTRICTING DEVICES

It is an important assessment to make in terms of prioritising what is to be achieved by adding components to the existing windows. Important considerations are as follows;

Ventilation;

Restricting windows will reduce the amount of natural ventilation into dwellings as they will not be able to be opened fully.

Cleanability;

The addition of restrictors and aluminium trims for the purpose of preventing the windows from being removed also will hinder the cleanability of the windows externally. This will be the case with any of the adopted proposals and was raised within ATP's report.

Falls from heights;

The overriding factor is the prevention on falling from heights. However, some residents may be adverse to change in the current functioning of the windows and access to carry out the works may prove problematic in some cases.

Security;

We have developed a range of proposals which can be tailored to match the requirements of our Client. All address the need for security and safety but provide flexibility in the best method adopted.

Vandalism;

Whilst any installed mechanism must be able to withstand day to day wear and tear and a level of vandalism, it may be possible that resident may decide to force, damage or remove installed security devices. The durability of any system must be reviewed to best minimise this from happening.

Means of Escape;

Whilst we believe the existing windows are not a designated means of escape, in an emergency situation, escaping via the windows will be restricted by employing the techniques outlined within this report.



WINDOW STRATEGY REPORT GRENFELL TOWER AND LANCASTER WEST ESTATE

JULY 2008

SITE INVESTIGATIONS

Shreeves attended site on Wednesday 9th July with Apollo and TMO site personnel to review the options proposed within ATP's report with a view to carry out trials within flats to assess the suitability of proposals. We managed to obtain access into two flats within the Lancaster West Estate. Within one of the flats the caretakers had already implemented one of the design solutions proposed by ATP in that a barrel lock had been affixed to the window cill, with a locating hole drilled into the base of the window sash.

The location of this lock meant that the window was unable to be removed as the lock acted on the same principle as the aluminium trim, preventing the base of the window from being angled into the flat and removed. It also provided security as it meant that the internal sash could be locked closed. The external sash still retained its spring loaded catch in the lower left hand corner. We believe that this system is a simple way of achieving additional security and safety although we feel that perhaps the external sash should be mechanically fixed closed or be restricted.

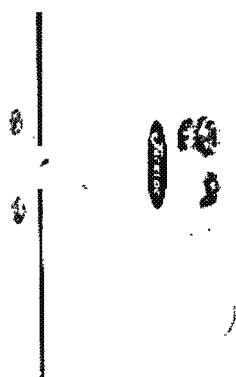




JACKLOC RESTRICTOR SYSTEM

Further to the recommendations made within ATP's report, we have carried out some additional investigations into methods of security and discovered a product that is designed to be retrofitted to restrict windows

The Jackloc window and door restrictor was designed with Health and Safety in mind. This was due to the number of restrictors failing and accidents occurring, sometimes resulting in fatalities. Exceeding the demands of the British Standard BS6375 Part II Test 6 to a level of 1,520 Newtons, the Jackloc restrictor can be fitted to any style of window and any window material.



- Suitable for every type of opening window or door
- Can be fitted to all materials
- Key lockable—for individual locks or multiples
- The lock will always engage when the key is removed
- Steel rope or chain link options produced to any lengths
- Wide range of finishes—colours to suit
- Security screws are provided for wood, steel, aluminium and UPVC

This system provides a designed solution, tested to British Standards that has a proven track record of effectiveness. It would be possible for site personnel to manage keys to each flat or individual blocks or for keys to be issued to residents. We have further contacted Jackloc who have confirmed that the restrictors can be riveted to the windows which would provide a more suitable fixing than the standard anti-vandal screws.

If this system was adopted a small angle would also be fitted to the internal sash to prohibit removal of windows. However, this system does not provide a means of locking the windows in the closed position, merely restricting their use.



**WINDOW STRATEGY REPORT
GRENELL TOWER AND LANCASTER WEST ESTATE**

JULY 2008

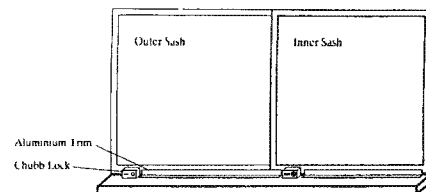
SUMMARY

We have produced various proposals taking into consideration the advice provided by ATP which has been further developed from our own investigations. Drawing Nr 2127/201 contained within in Appendix A, details the 6 available options.

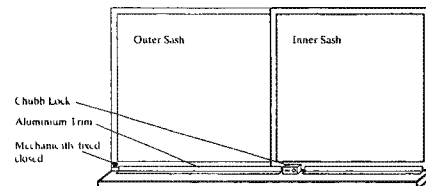
Each proposal detailed has benefits and disadvantages and provides a choice of options for discussion. Subject to approval of a system we would look to provide budget estimates for that system on a flat by flat basis.



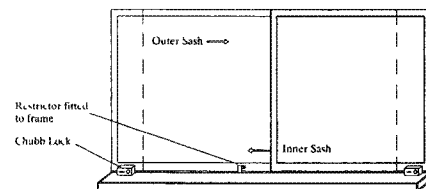
APPENDIX A
DRAWING



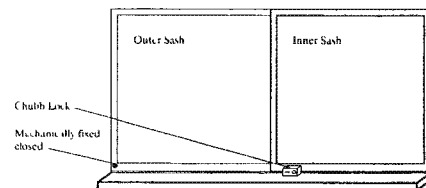
Option 1:
Aluminium Angle fixed to cill with anti vandal screws combined with 2 Nr Chubb barrel locks



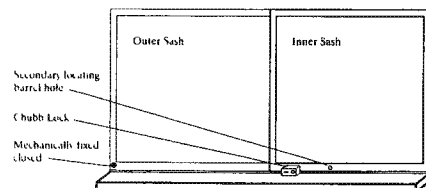
Option 2:
Aluminium Angle fixed to cill with anti vandal screws with external sash mechanically fixed closed and 1 Nr Chubb barrel lock to internal sash.



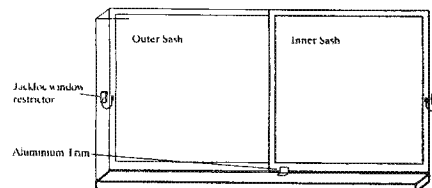
Option 3
Restrictor mechanically fixed to both external and internal sash windows with Chubb barrel lock to both.



Option 4:
External sash mechanically fixed closed with 1 Nr Chubb barrel lock to internal sash.



Option 5:
As option 4 with option to fix lock window to provide ventilation through second lock locating hole.



Option 6:
Jacklow window restrictor fitted to both panes. Fully designed system in accordance with BS6375 Part 11. Small Aluminium Angle to inner pane as further security against window being removed fitted with anti vandal screws

NOTE

This note is for the use of the contractor and is not to be used in the construction of the work.

Rev	Description	Date
<div><h1>Shreeves</h1><p>A Hill International Company</p><p>Building Services Quantity Services Project Managers CIBB Co-ordinator</p><p>London Bridge London SE1 1NR Tel: 020 7425 1234 Fax: 020 7425 1235</p><p>www.shreeves.co.uk</p></div>		
Client		
The Royal Borough of Kensington & Chelsea Tenant Management Organisation		
Project		
Grenfell & Lancaster West Window Strategy		
Job Nr 2127		
Drawing title		
Window Safety & Security Options		
Scale NTS		Date: 11/07/08
Drawn by NPH		Checked by PRW
Drawing Nr. 2127/201		

LANCASTER WEST E.M.B.

AGENDA

29th July 2008

Those Present
Welcome to new member
Apologies

Patricia Venus a-gated member
Geraldine Vice Chair
Theresa Secretary

Minutes of Previous Meeting April/June 2008
Matters Arising

1. Monthly EMB Budget Report

7.05pm

2. Window Strategy Report

7.25pm

3. Roof Renewal Report

7.45pm

4. Draft 2 Business Plan 2008-12

8.00pm

5. Quarterly Performance Management Report

8.15pm

6. Partners in Change On-Line Resource

8.25pm

5. AOB

8.30pm

- Dealing with water charges
- Well Naby Gums
- North Kinniburgh Action Plan / Core Strategy

Impact on
Thurs
allocations
TMO moving
new contract

Yuth AOB
- details, dates,
times, what
happening, when,
who, how many
for million
agencies
meeting
Police by street amulet

Lancaster west Estate Management Board Emergency Meeting – 03 rd July 2008.

Lancaster West Estate Back Office

In Attendance:

Mr. Keith Miles (KM) (Board Chairman)
Mrs Miles
Ms Roslyn Sylvester
Geraldine Lord
Ivis Wong
Dr Evan Arkas

Agenda:

Antisocial Behaviour of [REDACTED]

Appointment of Mr Damian Donnelly to be employed by the(EMB) Board as Chief Executive of Lancaster West Estate Management Board.

Reading of Minutes:

Minutes from the board meeting of 24 June 2008 were read by the Chairman of the Board and agreed by all members present.

ASB:

[REDACTED]

Board Members Decision:

[REDACTED]

Code of Conduct Procedure:

The Board Members decided that a further copy of the Code of Conduct chapters 1 to 5 must be sent to all Board Members immediately.

Appointment of Damian Donnelly:

The employment procedure between Lancaster West Estate Management Board and the Kensington & Chelsea Tenant Management Organisation was read by Mr. Keith Miles Chairman of the Board relating to the present employment of Mr. Damian Donnelly.

After a discussion of the plans of the Lancaster West Management Board the board members voted unanimously to appoint Mr. Damian Donnelly as Director/CEO of the Lancaster West Estate Management Board subject to Council approval and acceptance of the post by Mr Donnelly.

Minutes taken by Enid Bailey

Enid Bailey
03/07/2008

LANCASTER WEST EMB –29th July 2008

REPORT BY AREA MANAGER
REPORT GRENFELL TOWER & STAGE 3 ROOF RENEWAL

1.0 PURPOSE OF REPORT

- 1.1 To report to the Board on the results of second stage leaseholder consultation as required under Section 20 of the Landlord & Tenant Act 1985 (as amended).**

FOR INFORMATION

2.0. BACKGROUND

- 2.1 The attached report provides details of second stage statutory leaseholder consultation.**
- 2.2 Recommendation is made to the property management Committee to uphold their previous decision to continue with negotiations with Apollo Construction and enter into a formal contract for the roof renewal projects on Lancaster West Estate.**

FOR INFORMATION

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TENANT MANAGEMENT ORGANISATION LIMITED**

PROPERTY MANAGEMENT COMMITTEE – 21ST JULY 2008

REPORT BY THE DIRECTOR OF TECHNICAL SERVICES

**GRENFELL TOWER AND LANCASTER WEST ESTATE STAGE 3 ROOF
REPAIRS - RESULTS OF LEASEHOLDER CONSULTATION**

1. PURPOSE

- 1.1 This report presents the results of the second stage of leaseholder consultation, as required by Section 20 of the Landlord and Tenant Act 1985 (as amended), for the repairs to the roofs and miscellaneous work at Grenfell Tower and Lancaster West Estate stage 3 (excluding 1-40 Upper Camelford Walk, 1-19 Camelford Walk and 1-26 Camelford Court).
- 1.2 It is recommended that, having given due consideration to the leaseholder observations, The Committee upholds the previous decision for the continuation of negotiations with Apollo Construction and the entering into a formal contract under seal.

FOR DECISION

2. BACKGROUND

- 2.1 At its meeting on 30th June 2008 Committee approved the continuation of negotiations with Apollo Construction to agree a target cost not to exceed the tendered sum of £674,678.45 including an allowance of £20,000 for a 'risk pot'. Committee also approved a revised financial provision of £765,765.17 and the entering into a formal contract under seal. The stage 2 notices were due to expire on 2nd July 2008 and it was agreed that any leasehold observations received would be reported to the next Committee meeting.
- 2.2 The purpose of this report, therefore, is to update Committee on the results of that consultation.

3. CONSULTATION

- 3.1 Stage 2 Section 20 Notices were dispatched informing leaseholders of the scope of the works on 3rd June 2008 inviting them to submit their observations. The deadline for the submission of observations was 2nd July 2008. Two observations have been received and these together with the responses are attached as Appendix A to this report.

4 CONCLUSION

- 4.1 Now that the second stage of the statutory consultation has been concluded, and having given them due consideration, it is recommended that the Committee upholds their previous decision.

**LIAM GOOD
DIRECTOR OF TECHNICAL SERVICES**

APPENDIX A: LEASEHOLD OBSERVATION & RESPONSES

From: Douglas Hall [mailto:DouglasH@bh2.co.uk]

Posted At: 09 June 2008 15:09

Posted To: Leasehold Services E-mails

Conversation: Section 20 Stage 2 Notice

Subject: Section 20 Stage 2 Notice

Dear Mr Pretorius,

I refer to your correspondence addressed to L Bullock Webster of 2nd June (ref B217012770005)

I will be giving some advice in this matter.

There are several concerns:-

- 1) These are major works and the headlessee has been given no prior notice that they were being planned. One would expect residents and headlessees to be consulted significantly in advance (i.e. a minimum of two years) so that they can make the necessary financial arrangements.
- 2) The level of capital expenditure is excessive given that the works basically amount to a new roof covering. Please can you give a breakdown as to the specific work being carried out at [REDACTED] with a list of costings.
- 3) The management fees at 12.50% are excessive and considerable higher than the industry standard – how this fee has been calculated?
- 4) This is a residential property and the roof is not used (for access) by the headlessee. Which health and safety legislation are these works based on?

When the headlease was purchased circa 18 months ago the Purchaser's solicitor enquired with the Council as to whether any major works were planned at the Estate. The Council did not mention either these works or indeed the works which took place last year in connection with the heating system. Please can you explain why the works not highlighted at this time.

Please note the following:-

- 1) There is no history of roof leaks at [REDACTED]
- 2) Given the lack of notice and the magnitude of the expenditure it is unlikely that Ms Bullock Webster will be in a position to contribute to the cost of these works on the basis suggested.
- 3) What financial assistance is in place to assist the headlessee?
- 4) What is the planned maintenance regime at the Estate for the next 3 to 5 years years?

We look forward to hearing from you.

Regards



Kensington
& Chelsea

Kensington and Chelsea TMO
Charles House, 375 Kensington High Street, W14 8QH

Douglas Hall [mailto:DouglasH@bh2.co.uk]

Direct Line:

Facsimile:

Date:

Dear Mr Hall

Re: Mr L Bullock - [REDACTED]

I refer to your e-mail dated the 9th June 2008 and hope to deal with your concerns and answer your queries in the following paragraphs.

In accordance with Section 20 of the Landlord and Tenant act, we need to go through a consultation procedure with Leaseholders prior to any Major Works taking place on their block or estate. On the 10th May 2007 we delivered a stage 1 consultation notice informing Leaseholders of our intention to undertake the roofing works. We then invited Leaseholders to make their observations, wherafter we served a second stage notice dated the 2nd June 2008. We have therefore followed the correct procedure.

As confirmed in your e-mail, we do provide solicitors and residents with a Major Work 5-year estimate prior to completion. This however, is only an estimate and is subject to change. This is explained as follows on the bottom of the 5 year estimate:

'The works and associated costs listed in this document are based on information made available to the TMO at the time of publication only, and may be subject to change. They should therefore not be taken as being binding but should be used for guidance purposes only. Costs for Major Works schemes will only be rechargeable to leaseholders after statutory consultation under Section 20 Landlord and Tenant act 1985 As Amended by Landlord and Tenant Act 1987 and Commonhold and Leasehold Reform Act 2002 has taken place.'

Attached you will find a copy of the latest Major Work 5 year estimate as requested.

A walkover roof survey completed in February 2007 and the core sample and detail survey completed in June 2007 identified the following problems with the roof. Blistering has occurred to the felt, joints have lifted due to the felt de-bonding, flashings are missing or fallen out, ponding is occurring, detailing is poor, cable clips are fixed through the felt and water has penetrated below the felt covering. The recommendation is to replace the roof covering with a system that has a 20 year guarentee. Please see attached specification and

breakdown of costs as requested. All leaseholders contribute towards communal repairs in accordance with their lease. Each Leasehold flat's contribution is calculated in accordance with the Weighted room system.

I can confirm that the current CDM Regulations is the Health & Safety legislation being used.

Attached you will also find a copy of the recent Management fee review report.

With regards to the payment of your clients contribution, we currently offer a three year interest free payment plan. The payment options are currently being reviewed and we hope to have more options available in the near future.

For any further queries, please contact me on [REDACTED]

Yours sincerely

Jannie Pretorius
Leasehold Management Officer

From: d grego [REDACTED]
Posted At: 01 July 2008 14:52
Posted To: Leasehold Services E-mails
Conversation: "major works"
Subject: "major works"

To Ms Jannie Pretorius, or to whom this may be concern:

Mr Dragan Gregovic
[REDACTED]

REF: [REDACTED]
Your REF: TMO/MW 2004

This letter is a reply to your "Statement of Estimates in Relation to Proposed Works"(section 20 Stage 2). I have been living on the present address since 2003. During that period we had few "major works" on our building, and following my obligation as a leaseholder-I have always fully paid required "flat's share" of the cost. What brought my attention to your system of "estimated charges" in such cases, is the last year "major work"-namely "changing of the heating valves". At this point I should say that except for the boiler "control " valve, everything else was working fine with my heating, and that I never required any services of that kind. The plumber from the "Utilicom" company changed those valves in less than an hour, and the reason why I'm tiring you with these trivial details, is that for such a routine and simple intervention I got a bill in the amount of £431.88(!) I understand that my flat's share is around 1/400th what means that total work cost was around £170000+. I have done some research regarding such works with independent plumbers, and I unanimously got the same answer: that the cost was to put it mildly "very excessive" or rather "impossible" for such kind of work.

I'm writing you about this previous case , so that you can better understand my doubts and concerns regarding this new propose works (roof repairing), with the very high estimated cost of my share of £3366.51. I simply don't know if that repairment, and to what degree, is necessary, and I particularly can not be sure about the level of the estimated cost . I therefore declare my objections to the proposed works, and in case of their imminent start, I propose consultation with some "independent body" in the form of "Leasehold Valuation Tribunal" or any other relevant institution.

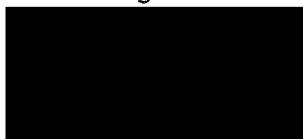
Yours : Dragan Gregovic
[REDACTED]



Kensington
& Chelsea

Kensington and Chelsea TMO
Charles House, 375 Kensington High Street, W14 8QH

Mr D. Gregovic



Direct Line:

Facsimile:



Date:

Dear Mr Gregovic

I refer to your e-mail dated the 1st July 2008.

Attached you will find a specification and breakdown of costs.

Your lease sets out your obligations to contribute towards communal repairs. Each Leaseholder's contribution is calculated in accordance with the weighted room system, which has been recognised as a reasonable method of calculation by the LVT. Your weighted room of 4 is calculated against the block weighted room of 101.

A walkover roof survey completed in February 2007 and the core sample and detail survey completed in June 2007 identified the following problems with the roof. Blistering has occurred to the felt, joints have lifted due to the felt de-bonding, flashings are missing or fallen out, ponding is occurring, detailing is poor, cable clips are fixed through the felt and water has penetrated below the felt covering. We therefore see it as both reasonable and necessary to undertake the mentioned work. The recommendation is to replace the roof covering with a system that has a 20 year guarantee.

Four competitive tendering exercises were undertaken and Apollo's tender was the cheapest.

Please contact me on [REDACTED] for any further queries.

Yours sincerely

Jannie Pretorius
Leasehold Management Officer

Agreed as a Correct Record Chair of Property Management Committee

The Royal Borough of Kensington and Chelsea Tenant Management Organisation

PROPERTY MANAGEMENT COMMITTEE

DRAFT MINUTES OF MEETING HELD ON 21st July 2008, 6.30pm
Whistler Room 4th Floor Charles House

Present: Mr S Flood – Chair
Mr M Beverley – Vice Chair
Ms S Murphy
Ms K Harris
Mr P Chapman

In Attendance: Mr L Good – TMO Technical Services
Mr J Borra
Mrs A Johnson
Mr D Steppel
Mr G Wisbey – Shreeves
Mr N Hambly - Shreeves

1.0 Apologies

1.1 Received from, Mrs S Collet

2.0 Minutes of the Last Meeting Held on 30th June 2008 (Enc 2)

2.1 Minutes of the Meeting were agreed as an accurate record.

2.2 Matters Arising

i) AOB 8.3 Trellick Tower Visit. Details have made available to M Beverley. D Williams to be requested to make visit arrangements available to all PMC members.

Action J Borra

Noted that Agenda Item order altered to allow presentations to be made and minimise attendance time for Consultants/Staff. Agreed.

3.0 Lancaster West Estate Windows (Shreeves Presentation)

3.1 A report entitled "Grenfell Tower and Lancaster West Window Strategy Report" dated 15th July 2008 by Consultant Shreeves was presented by G Wisbey and N Hambly. Confirmed that Shreeves report has considered the recommendations contained in an earlier report by consultant ATP (entitled Feasibility Study for Grenfell Tower and Lancaster West Stage 1 – Increasing Safety and Security to Existing Windows issued January 2008) and developed ATP's proposals with further information and strategies to maximise the health and safety benefits of the accepted system.

3.2 Confirmed that on Page 1 final paragraph second line, first word to read "unreliable".

3.3 Key issues identified:

i) Windows in question are in good condition and working order meeting Decent Homes Standard.

ii) Glazed window panel may be removed for cleaning (as originally designed to do), Noted that this does not comply with current Building Regulations. H&S concerns acknowledged regarding this. Noted that no record of incidents/accidents relating to the practice of removing glazing from frame to clean.

iii) Proposals re lockable hardware presented on how glass panel can be safely secured. Acknowledged that the adoption of any of these measures will have implications on other properties with similar issues.

iv) If glass secured, question raised how to clean. (Possible H&S issue if Resident has to lean out to clean external side of window).

3.4 It was agreed that a report will be brought back to Committee following completion of the following:

i) A Risk Assessment to be carried out with regard to the process of the removing and placing back of the glazing panel following cleaning at Grenfell Tower,

ii) The TMO's Health & Safety Section be requested to check Landlord/Managing Agent responsibilities/liabilities,

iii) Further consultation with Lancaster West EMB/Residents.

4.0 PMC Membership

4.1 It was acknowledged that in light of PMC being down by one member and that Committee has no Independent or Councillor representation, Peter Chapman was invited by Committee to attend and a proposal made that he be nominated to become a member of PMC as an independent. This was endorsed by Committee. It was agreed that this nomination to be taken to next TMO Board for ratification.

5.0 Update on the Current Responsive Repairs Contract (Enc 12)

5.1 The purpose of the report was to advise Committee of the current position of the Repairs Service including the improvement plan that has been devised to improve the current service provision.

5.2 It was reported that all key issues/challenges have now been identified with an improvement plan in place to address these matters and take things forward. Whilst significant progress has been achieved it was recognised that there was still much work to be undertaken.

5.3 Development of more accurate/applicable Performance Indicators has taken place and are now being utilized. Agreed that consistency of approach to reporting performance data required and that in future it will be brought to PMC, on a regular basis.

5.4. Performance issues have been acknowledged by Connaught and in recent Audit Reports. Noted that current Repairs Contract ends July 2009. Confirmed that Connaught have recognised service delivery challenges and have given a commitment to meeting the required performance and delivery standards for the rest of the Contract. Intention is for a report on these matters to be taken to TMO Board in September 2008.

5.5 Key issues flagged regarding the CSC and Repairs Contract, confirmed A Johnson dealing with the Repairs Contract, Cynthia Rodney dealing with CSC issues.

5.6 It was agreed that it is the intention to produce regular reports on both the current Contract and the procurement for the new Contract.

6.0 Grenfell Tower& Lancaster West Stage 3 Roof Repairs – Result of Leaseholder Consultation (Enc 5)

6.1 The purpose of the report was to present the results of the second stage of Leaseholder Consultation as required by Section 20 of the Landlord and Tenant Act for the repairs to the roofs and miscellaneous work at Grenfell Tower and Lancaster West Estate Stage 3 (excluding 1-40 Upper Camelford Walk, 1-19 Camelford Walk and 1-26 Camelford Court).

6.2 A request was made that all documents referred to in the TMO response letters for this and all other Section 20 reports be attached for completeness/record purposes and that PMC requested that a member of the Leaseholder Services Team attend Committee to present/respond to any queries. A question was raised as to the possibility of Leaseholder Services staff being invited to attend project meetings at an early stage in order that they may be up to speed as early as possible and facilitate improved joint working with Technical Services. **Action Leaseholder Services Section**

6.3 Issues relating to communicating future major works and also reference to the value and breakdown of the 12.5% management fee were noted. Re management fee, it was confirmed that a report will be going to TMO Board on this including comparisons with other Local Authorities/Private Sector charging.

6.4 The recommendation that having given due consideration to the Leaseholder observations, the Committee upholds the previous decision for the continuation of negotiations with Apollo Construction and entering into a formal contract under seal was approved unanimously.

7.0 Digital TV Progress Update (Enc 7)

7.1 It was acknowledged that the original intention was to submit a report on this matter to an earlier PMC meeting. Delay was due to a number of matters including the need to consult but it was acknowledged and accepted that there were frustrations regarding the time taken to submit this report.

7.2 The purpose of the report was to advise Committee of the work undertaken by the Multi Channel TV Working Group and the conclusions and recommendations, provide Committee with a summary of the Digital TV Feasibility Report that has been prepared by Mandercom Ltd following instructions from the Working Group and provide a proposal and strategy for dealing with the issues raised as a result of changes in Digital TV technology.

7.3 The following items were flagged, installation types and what they provided, potential costs and funding options including possible leasing option.

7.4 Noted that there was a need to revisit sites where there has been unsatisfactory digital aerial (Freeview) installation undertaken as part of the External Redecoration Programme.

7.5 Confirmed that next meeting of the Working Group is 29th July following which an update will be provided to Committee. PMC membership was confirmed as K Harris, M Beverley, R Kerr Bell.

7.6 Noted that under Section 2.4 second line delete "for" and replace with "from".

7.7 The recommendation that Committee/Board acknowledged the requirement to provide new television equipment to all properties (except for those that recently been provided with new digital aerial systems) and recover the installation and maintenance costs as far as is possible from Residents and that an appraisal should be carried out comparing the benefits of leasing the TV equipment with the high capital cost of installation as highlighted in Sections 2.1 and 2.2 of the report was approved unanimously. (Items 2.3/2.4/2.5 were for information).

8.0 Door Entry Systems – Call for Competition (Enc 8)

8.1 The purpose of the report was to present the results of a study into the priorities for repair and refurbishing the door entry systems in dwellings managed by the TMO.

8.2 With regard to 1 – 82 Manchester Drive, Committee noted the comparative installation and running costs of the video and voice entry systems, with a Video/Voice system significantly more expensive in terms of installation and running costs.

8.3 With regard to 43 – 63, 263 – 283 and 285 – 305 Tavistock Crescent, 70 Tavistock Road and 1 – 82 Manchester Drive, the recommendation to:

i) Seeking of tenders for the refurbishment of the door entry systems.

ii) The voice only option is selected for 1-82 Manchester Drive, a revised financial provision of £151,000.00 for the capital works

was approved unanimously subject to confirmation that there are no specific issues at Manchester Drive which necessitate consideration of a Video/Voice system.

Action Technical Services

9.0 New Grounds Maintenance Contract Procurement – Risk Assessment. Report Summarising the Key Risks/Challenges to Delivery (Enc 6)

9.1 The purpose of the report was to present to Committee the risks and challenges the TMO currently faces with regard to the delivery and successful conclusion of the procurement of a new Grounds Maintenance Contract and to present possible available options as discussed by the New Grounds Maintenance Contract Procurement Group.

9.2 It was confirmed that the Risk Assessment has revealed that the original target date for a Contract commencement date of 1st April 2009 is not achievable based upon current financial resources and the need to demonstrate a procurement process based upon Best Value principles.

9.3 The details of key challenges to procuring a new Contract such as funding, service standards, potential recharging restrictions, number of contracts/service providers and procurement resources were confirmed.

9.4 It was confirmed that the current interim arrangements involving 3 locally based Contractors (put in place after the late withdrawal of Serviceteam and their tender at the conclusion of the previous contract procurement exercise) has demonstrably produced an improved service with no increase in costs at this stage. It was acknowledged that the interim arrangements have been so effective that detailed consideration will be given not only to one Boroughwide Contract but also the letting of smaller, separate Contracts with benefits such as greater control of performance, costs, service delivery.

9.5 It was acknowledged that in order to facilitate the required detailed discussion, debate, including extensive consultation and participation of Residents, Committee agreed that the three Contractors currently providing the interim service be approached and confirmation be sought that they are prepared to continue with these arrangements and that the new target date for the commencement of the new Contract be 1st April 2010. It was also agreed that the next New Grounds Maintenance Contract Procurement Group meeting be scheduled for early September 2008 to start the debate/discussion on moving things forward.

10.0 Cambridge Gardens 41 – Tender for the Conversion of Hostel (Enc 9)

10.1 The purpose of the report was to seek Committee's approval to authorise the Chair of PMC to accept the tender for the works to enable the programme for the conversion to be maintained.

10.2 It was confirmed that the tenders will be returned on the 30th July 2008. The next PMC committee is not due until the 29th September 2008 and therefore authority was sought to enable the Chair of the Property Management Committee to receive and approve the tender report in advance of the next meeting to avoid further delay to the programme. The results of the tender will be reported to the next Committee meeting for information.

10.3 The recommendation was agreed unanimously

11.0 Borough wide Cavity Wall and Loft Insulation – Status Report (Enc 10)

11.1 The purpose of the report was to inform Property Management Committee of the current position regarding plans to install cavity wall and loft insulation to residential properties throughout the Borough and presents the results of a feasibility study regarding the proposed works prepared by Tuffin Ferraby and Taylor.

11.2 The recommendation that Committee approve:

i) The appointment of a CDM Co-ordinator and Consultants, from the LAPN Framework, to prepare Works Information and associated documentation, manage the tender process and works on site.

ii) Pursuing options for obtaining grant funding, to determine the number of properties that can be contained within the available budget of £242,000 including fees.

iii) Seeking tenders for the insulation of Priority 1 and Priority 2 properties as identified within the report

was approved unanimously.

12.0 Capital Programme Challenges (Enc 11)

12.1 The purpose of the report was to inform Committee of the current position regarding the challenges to the Capital Programme and the consultation process that is being undertaken to establish investment priorities given funds have been severely reduced.

12.2 Committee was asked to note the following:

i) The implications of a reduced programme on the ability of the TMO to adequately maintain the stock

ii) That until investment priorities are agreed, current investment is limited to contracts already underway and those required to attain the Decent Homes standard or address Decent Homes issues

iii) That a consultation process is already underway to inform PMC, the Board and RBKC officers and members of the challenges facing the Capital programme.

12.3 It was confirmed that positive meetings have taken place with Councillors with regard to communicating and recognising the challenges faced by both the Council and TMO.

12.4 Whilst Committee were appreciative of this, it did wish to record it's concern over the current Capital programme funding position.

13.0 Date of Next Meeting

13.1 Monday 29th September 2008, 6.30pm Whistler Room 4th Floor Charles House.

Circulation: All Present, Committee Members, H Evans.

GAS COSTS INCLUDED IN SERVICE CHARGES FOR 2007/08 - AS AT 22 JULY 2008
(Final Service Charge Accounts due by 30 September 2008)

All communal heating systems

1 bed

2 bed

3 bed

4 bed

+ 80%

Estate Name	Total Gas Cost	Flat Cost Based On 2 WR	Flat Cost Based On 3 WR	Flat Cost Based On 4 WR	Flat Cost Based On 5 WR
LANCASTER WEST 1	£376,775.00	£391.66	£587.49	£783.32	£979.15
OXFORD GARDENS 34-36	£43,430.93	£384.34	£576.52	£768.69	£960.86
LANCASTER WEST 3 ESTATE	£198,302.51	£331.89	£497.83	£663.77	£829.72
TREVERTON ESTATE	£55,248.90	£280.45	£420.68	£560.90	£701.13
LANCASTER WEST STAGE 8	£18,528.49	£278.62	£417.94	£557.25	£696.56
KNIGHTS HOUSE	£8,013.06	£250.41	£375.61	£500.82	£626.02
WARWICK ROAD ESTATE	£78,388.54	£246.46	£369.69	£492.92	£616.16
CONVENT ESTATE	£54,532.28	£236.07	£354.11	£472.14	£590.18
MANCHESTER DRIVE 1/82	£40,277.08	£233.49	£350.24	£466.98	£583.73
WORLDS END ESTATE	£299,160.67	£196.04	£294.06	£392.08	£490.11
CREMORNE ESTATE	£95,005.47	£183.76	£275.64	£367.53	£459.41
SWINBROOK ESTATE	£39,958.50	£174.49	£261.74	£348.98	£436.23
ELM PARK GARDENS ESTATE	£129,861.31	£161.27	£241.90	£322.54	£403.17
KENSAL NEW TOWN ESTATE	£16,877.08	£144.25	£216.37	£288.50	£360.62
SILCHESTER EAST & WEST ESTATE	£8,184.66	£139.91	£209.86	£279.82	£349.77
Average	£97,502.97	£242.21	£363.31	£484.42	£605.52

391.66
139.91

587.49
209.86

783.32
279.82

979.15
349.77

**GAS COSTS (Final Service
INCLUDED IN Charge
SERVICE Accounts
CHARGES due by 30
FOR 2007/08 September
- AS AT 22 2008)
JULY 2008**

LANCASTER WEST 1	£376,775.00	£391.66	£587.49	£783.32	£979.15
OXFORD GARDENS 34-36	£43,430.93	£384.34	£576.52	£768.69	£960.86
LANCASTER WEST 3 ESTATE	£198,302.51	£331.89	£497.83	£663.77	£829.72
TREVERTON ESTATE	£55,248.90	£280.45	£420.68	£560.90	£701.13
LANCASTER WEST STAGE 8	£18,528.49	£278.62	£417.94	£557.25	£696.56
KNIGHTS HOUSE	£8,013.06	£250.41	£375.61	£500.82	£626.02
WARWICK ROAD ESTATE	£78,388.54	£246.46	£369.69	£492.92	£616.16
CONVENT ESTATE	£54,532.28	£236.07	£354.11	£472.14	£590.18
MANCHESTER DRIVE 1/82	£40,277.08	£233.49	£350.24	£466.98	£583.73
WORLDS END ESTATE	£299,160.67	£196.04	£294.06	£392.08	£490.11
CREMORNE ESTATE	£95,005.47	£183.76	£275.64	£367.53	£459.41
SWINBROOK ESTATE	£39,958.50	£174.49	£261.74	£348.98	£436.23
ELM PARK GARDENS ESTATE	£129,861.31	£161.27	£241.90	£322.54	£403.17
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SILCHESTER EAST & WEST ESTATE	£8,184.66	£139.91	£209.86	£279.82	£349.77
Average	£97,502.97	£242.21	£363.31	£484.42	£605.52

Gas consumption at Grenfell Tower

Year	Consumption (kwh)	Cost (£)	average cost p/kwh	Gas supply company	
1999/00	16290764	114659	0.703828255	Northern gas and electricity	
2000/01	17043046	125683	0.737444469	Northern gas and electricity	
2001/02	18302983	175280	0.957658104	Northern gas and electricity	
2002/03	15158635	153456	1.012333894	Scottish and Southern	
2003/04	15958657	153083	0.959247385	Scottish and Southern	
2004/05	14205630	162895	1.146693248	Scottish and Southern	
2005/06	15996610	261734	1.636184167	Scottish and Southern	
2006/07	876924	19633	2.238848521	British Gas	Broken gas meter
2007/08	387233	9126	2.356720631	British Gas	Broken gas meter

The average cost is the average cost of gas over the financial year from 1st April to 31st of March, but the gas supply contract runs from the first of August to the 31st July. The average cost therefore depends on how much of the consumption and is at the beginning of the year and how much at the end.

Sheet two shows the gas prices for Grenfell Tower since 1995

Note Grenfell and Camelford are both charged as Large Sites

KENSINGTON AND CHELSEA TMO GAS SUPPLY CONTRACT PRICES

	Large sites Over 25,000 therms	Medium sites Between 25,000 and 2,500 therms	Small sites Under 2,500 therms
1/4/94 to 31/3/95 Supplier - Kinetica Ltd	28.3 p/Therm 0.965 p/kWh	34 p/Therm 1.16 p/kWh	
1/4/95 to 31/3/96 Supplier - Kinetica Ltd	29.7p/Therm 1.0128p/kWh	35.6p/Therm 1.2147p/kWh	
1/4/96 to 31/3/97 Supplier - London Total Gas Ltd	15.03p/Therm 0.5128p/kWh	20.25p/Therm 0.6909p/kWh	

Gas consumption at Grenfell Tower

1/4/97 to 31/7/97 Supplier - Total Gas Marketing Ltd	15.03p/Therm 0.5128p/kWh	20.25p/Therm 0.6909p/kWh	
1/8/97 to 31/7/98 Supplier - Total Gas Marketing Ltd	22.75p/Therm 0.7762p/kWh	28.5p/Therm 0.9724p/kWh	
1/8/98 to 31/10/98 Supplier - Total Gas Marketing Ltd	21.91p/Therm 0.7476p/kWh	26.84p/Therm 0.9158p/kWh	
1/11/98 to 31/7/99 Supplier - Shell Gas Direct Ltd	21.91p/Therm 0.7476p/kWh	26.84p/Therm 0.9158p/kWh	1.3p/kWh
1/8/99 to 31/7/2000 Supplier - Shell Gas Direct Ltd	20.28p/Therm 0.692p/kWh	24.03p/Therm 0.82p/kWh	1.3p/kWh
1/8/2000 to 31/7/2001 Supplier - Northern Electric + Gas	22.03p/Therm 0.7516p/kWh	26.28p/Therm 0.8969p/kWh	37.63p/Therm 1.2841p/kWh
1/8/2001 to 31/7/2002 Supplier - Northern Electric + Gas	29.97p/Therm 1.0226p/kWh	34.00p/Therm 1.1602p/kWh	42.54p/therm 1.4516p/kWh
Plus metering charges on all sites			
1/8/2002 to 31/7/2003 Supplier - Scottish & Southern	29.44p/Therm 1.0047p/kWh	35.157p/Therm 1.1996p/kWh	37.806p/therm 1.290p/kWh+7.5p/day
1/8/2003 to 31/7/2004 Supplier - Scottish & Southern	27.786p/Therm 0.9481p/kWh	34.034p/Therm 1.1613p/kWh	41.745p/therm 1.4244p/kWh
1/8/2004 to 31/7/2005 Supplier - Scottish & Southern	36.22p/Therm 1.236p/kWh	41.67p/Therm 1.422p/kWh	43.638p/therm 1.489p/kWh
1/8/2005 to 31/7/2006 Supplier - Scottish & Southern	58.61p/Therm 1.999p/kWh	64.91p/Therm 2.215p/kWh	72.55p/therm 2.4758p/kWh
1/8/2006 to 31/7/2007 Supplier - British Gas Business	90.903p/therm 3.102p/kWh	90.903p/therm 3.102p/kWh	90.903p/therm 3.102p/kWh
1/8/2007 to 31/7/2008 Supplier - British Gas Business	50.73p/therm 1.731p/kWh	50.73p/therm 1.731p/kWh	50.73p/therm 1.731p/kWh
1/8/2008 to 31/7/2009 Supplier - British Gas Business	94.10p/therm 3.211p/kWh	94.10p/therm 3.211p/kWh	94.10p/therm 3.211p/kWh

GRENFELL TOWER – BROKEN GAS METER

----- Original Message -----

From: Damian Donnelly

To: cllr.blakeman@rbkc.gov.uk ; cllr.palmer@rbkc.gov.uk ; cllr.i.hanham@rbkc.gov.uk ;
[REDACTED] ; [vesna.mitic](mailto:vesna.mitic@rbkc.gov.uk) ; [Dr. Evan Arkas](mailto:Dr.Evan.Arkas@rbkc.gov.uk)

Sent: Wednesday, July 23, 2008 9:46 AM

Subject: FW: History of the Broken Gas Meter at Grenfell Tower

Dear colleague,

Pls find attached report on the defective meter at grenfell Tower and information showing consumption patterns since 2000.

*Damian Donnelly
Area Manager
Estate Office
Lancaster West EMB
Grenfell Tower
Lancaster West Estate
London W11 1TQ
Tel: [REDACTED]
Fax: [REDACTED]*

E-Mail: donnelly@tmo.org.uk



please don't print this e-mail unless you really need to

From: Steve Pimbert

Sent: 22 July 2008 10:41

To: Damian Donnelly

Cc: John Borra

Subject: History of the Broken Gas Meter at Grenfell Tower

Damien/John

Latest position regarding the broken gas meter at Grenfell tower. We are still waiting corona energy to get back to us about fixing a meeting to discuss their possible involvement.

The spreadsheet shows the consumption of Grenfell tower since 2000 the cost of gas and the price paid. Because the gas meter is only read at intervals it is not possible to identify any abnormalities in the gas consumption which could indicate any problems with the heating system.

Stephen

History of the Broken Gas Meter at Grenfell Tower

Re Gas meter located in the boiler house at Grenfell Tower Meter Point Reference Number (MPRN) 51341803, meter number 3541

In March 2006, S Pimbert read the gas meter corrector as 0563164. In May 2006, SP read the gas meter again with the same reading of 0563164. Because the meter is not read every month this was the first indication that the meter was not working. Because the corrector is used for billing purposes the meter dial is not normally read and at this time it was not known whether it was the meter or the corrector that was broken. Subsequent investigation showed that it was the meter that was at fault as the meter register did not increment even though the meter passes gas.

In May 2006, SP informed our gas supply company who at that time were Scottish and Southern and they in turn contacted National Grid Metering, (responsible for meters). However, as we were in the process of changing our gas supply company to British Gas Business, Scottish and Southern did not progress the issue and British Gas inherited the problem.

On 1st August 2006 British Gas Business became our new gas supply company and they were informed in September about the problem.

British Gas again contacted National Grid Metering. But it took a further six months and much prompting before National Grid Metering visited the site. In July 2007 National Grid Metering said the problem was that the meter was very large and it was no longer in production. Consequently they were looking at the possibility of modifying another meter and exchanging this for the broken one. However in August 2007 they then decided that they could not change the meter and the fault lay with the register (i.e. the device that records the passage of gas). They took the register away for repair.

October 2007 National Grid Metering replaced the register (and installed a new corrector) and it appeared to work as the register reading was higher than when it was taken away for repair. However before the end of the month it had again failed with the same fault.

We again contacted British Gas on the 7th of November but by January 2008 National Grid Metering had still not fixed the meter or given any indication of when they were likely to. On the 29th of January 2008 at the request of British Gas SP again supplied details of the problem and British Gas said they would again contact National Grid Metering to get someone to visit the site and decide how to get the meter fixed. In the meantime we would continue to be charged through estimated readings.

Because British Gas did not appear to be able to resolve the problem on their own, on 31st of January 2008 SP sent a letter to Energywatch -the government sponsored organisation set up to resolve disputes between consumers and gas and electricity supply companies, asking for their help.

On 6th February, a reply was received from Energywatch who confirmed that they had contacted British Gas asking them to report what steps they were taking to resolve the problem. Subsequently, 3 more letters dated 25/2/08, 3/3/08 and 10/3/08 were received from Energywatch saying that British Gas had yet to respond.

In March 2008, SP spoke to British Gas Business who confirmed that they had replied to Energywatch pointing out that the problems were the fault of National Grid Metering and not British Gas.

15 April 2008 SP spoke to Energywatch asking what progress has been made. Energywatch confirmed that they had received a reply from British Gas which said that British Gas had made many appointments for National Grid Metering engineers to visit the site and that the fault lay with National Grid Metering as they were responsible for the meter. Energywatch agreed to write to National Grid Metering to find out what was happening. SP also spoke to British Gas who confirmed that they had made yet another request for National Grid Metering engineers to visit the site.

17 April 2008 letter received from Energywatch saying that they had written to National Grid Metering about the problem asking what was happening. The next day Energywatch phoned SP asking for further details as they had just received a phone call from National Grid Metering asking for particulars about the meter and its location. These were provided. Energywatch indicated that they would expect a response from National Grid Metering within 10 days.

Following Transco's visit to the site they reported back to British Gas that the meter was indeed broken but because of its size and difficulty of access they were unable to replace it unless the TMO knocked down a number of walls and provided access from street level to the boiler room. Although there is a trapdoor in the roof of the boiler room it is not clear whether it can be opened or if it is big enough to allow the meter to fit through. British Gas has been asked to forward a copy of the Transco report to the TMO for consideration but to date this has not yet been received.

An alternative to using National Grid Metering is to use another company to replace the meter although this may cost the TMO. The TMO is interested in installing an automatic meter reading system to the meter at Grenfell Tower once it is repaired. Not all meters are suitable for connection to an AMR system and in these cases the meter needs to be replaced. Imserve, the company who make the AMR equipment, work with Energy Assets who are licensed by National Grid Metering to install gas metres and often do so on behalf of National Grid Metering. Philip Bellin Lee of Energy Assets visited Grenfell Tower on the 21st of April to see what would be involved in removing the meter and replacing it.

Energy Assets claim that provided the meter is more than 10 years old (the one at Grenfell Tower is more than 25 years old) the cost of the meter is met by National Grid Metering although the company wanting the exchange may have to pay for the installation. It is estimated that the cost to exchange the meter at Grenfell Tower would

be approximately £7,000 excluding the costs to demolish and rebuild the wall of the meter room and the access hatch if it is not wide enough for the removal/replacement of the meter.

Energy Assets also claimed that the meter appeared to be oversized but detailed measurements would need to be undertaken preferably during the winter, to establish to what extent and whether a smaller meter could be installed. An alternative approach is for the TMO to purchase the meter installation from National Grid and then sell it to Energy Assets. Energy Assets could then exchange the meter and rent it back to the TMO. Because the price of gas charged by the gas supplier includes an allowance for metering charges the TMO should then be able to negotiate a lower unit price from British Gas to cover the rental.

Because Energy Assets have not been able to give any detailed costings the TMO are still pursuing other alternatives and are in the process of fixing up a meeting with Corona Energy a company that supplies gas as well as metering equipment to see what they can offer.

KENSINGTON AND CHELSEA TMO GAS SUPPLY CONTRACT PRICES

Note Grenfell & Camelford are both charged as Large sites

	Large sites Over 25,000 therms	Medium sites Between 25,000 and 2,500 therms	Small sites Under 2,500 therms
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1/4/96 to 31/3/97 Supplier - London Total Gas Ltc	15.03p/Therm 0.5128p/kWh	20.25p/Therm 0.6909p/kWh	
1/4/97 to 31/7/97 Supplier - Total Gas Marketing	15.03p/Therm 0.5128p/kWh	20.25p/Therm 0.6909p/kWh	
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1/8/99 to 31/7/2000 Supplier - Shell Gas Direct Ltd	20.28p/Therm 0.692p/kWh	24.03p/Therm 0.82p/kWh	1.3p/kWh
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1/8/2007 to 31/7/2008 Supplier - British Gas Business	50.73p/therm 1.731p/kWh	50.73p/therm 1.731p/kWh	50.73p/therm 1.731p/kWh
1/8/2008 to 31/7/2009 Supplier - British Gas Business	94.10p/therm 3.211p/kWh	94.10p/therm 3.211p/kWh	94.10p/therm 3.211p/kWh

Gas consumption at Greenfield Tower

Year	Consumption (kwh)	Cost (£)	average cost p/kwh	Gas supply company	
1999/00	16290764	114659	0.703828255	Northern gas and electricity	
2000/01	17043046	125683	0.737444469	Northern gas and electricity	
2001/02	18302983	175280	0.957658104	Northern gas and electricity	
2002/03	15158635	153456	1.012333894	Scottish and Southern	
2003/04	15958657	153083	0.959247385	Scottish and Southern	
2004/05	14205630	162895	1.146693248	Scottish and Southern	
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2006/07	876924	19633	2.238848521	British Gas	Broken gas meter
2007/08	387233	9126	2.356720631	British Gas	Broken gas meter

The average cost is the average cost of gas over the financial year from 1st April to 31st of March

But the gas supply contract runs from the first of August to the 31st July

The average cost therefore depends on how much of the consumption and is at the beginning of the year and how much at the end

Sheet two shows the gas prices for Grenfell tower since 1995

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TENANT MANAGEMENT ORGANISATION**

TMO BOARD 10TH JULY 2008

Lancaster West Position statement

Report by the TMO Chief Executive

1.0 Purpose of the report

The purpose of this report is to advise the Board of the current constitutional, management and financial position with Lancaster West EMB. The Board's views are sought on

1. the EMB's aspirations to directly manage local service contracts and staffing, and
2. the most appropriate framework to effectively manage the EMB for the future.

For information and discussion

2.0 Introduction

- 2.1 The attached draft position statement (see appendix A) provides background on the historical development of the Lancaster West Estate Management Board (EMB) in regard to its constitution, management functions and relationship framework with the Council and the TMO.
- 2.2 The paper provides an overview of the current budget and stock investment challenges at Lancaster West and outlines why the EMB Board believes it is well placed to assume increased responsibility for services.

3.0 Key findings from the position statement

- 3.1 The following issues are key to understanding the environment within which the EMB operates:
 - The EMB was formed in May 1993, prior to the introduction of the Right to Manage regulations in 1994, and therefore does not the same status as a RTM TMO.
 - The TMO, with the exception of a local pest control contract, provides all the contractual services, such as cleaning and repairs, and the staffing for Lancaster West. Both the EMB's and TMO's respective management agreements with the Council specify that the TMO is responsible for all the management functions to Lancaster West.
 - Due to the above factors, the EMB's aim of greater autonomy over services could only be achieved through either a voluntary arrangement between the Council,

TMO and EMB or, the EMB would be required to initiate the RTM process to demonstrate its capability to take on these responsibilities.

- The EMB's annual budget allocation has apparently not been reviewed since its inception. It currently receives a repairs budget that is 20% higher per property than the remainder of the Borough. Its staffing and associated company costs are also approximately 70% higher per property than the TMO equivalent.
- The EMB does not receive a training and development budget from the Council for its Board members, to which it may be entitled. This budget would be £14,000 per annum according to the Communities and Local Government formula. This level of funding would be essential if the EMB is to achieve more autonomy over service provision.

3.0 Clienting the EMB

- 3.1 The most significant finding arising from this research is the need for a clearer, more easily defined client role to be established for the EMB, and for this to be reflected in the EMB and TMO management agreements. The current 3 way arrangement of the TMO providing the services and staffing, with the Council monitoring standards and performance, as required the management agreement with the EMB, is complicated. It creates uncertainty in the relationship and respective responsibilities, for example, who should attend EMB Board meetings or the AGM and in the allocation and negotiation of budgets. This requires resolution irrespective of whether the EMB assumes delegated management functions.
- 3.2 The Client role has been under review since 2006. It could be simplified by being delegated to the TMO, a practice which has been in place with neighbouring ALMOs such as CityWest and Brent. This would have the advantage of utilising the TMO's housing/ tenant management experience and expertise to monitor the EMB's performance and service delivery. It would also present an opportunity to re-evaluate the review arrangements and performance standards contained in the EMB's management agreement. These are currently demanding and may need to be adapted to be realistically achievable.
- 3.3 In the longer term, if the EMB does achieve its aim of independence from the TMO, by employing its own staff and procuring and managing its own contracts, the existing 3 way relationship would no longer be required. The Council would then have the option of either taking on the client role solely with no involvement from the TMO, or alternatively it could still delegate this function to the TMO by amending the management agreement, and also give it the responsibility to monitor all locally based TMOs that could develop in Kensington and Chelsea.

Helen Evans
Chief Executive

Contact officer
Ian Twyford [REDACTED]

Appendix A

Lancaster West EMB position statement

1. Constitutional background

- 1.1 The Lancaster West Estate Management Board (EMB) was established in May 1993 with the assistance of PEP consultants. It is Kensington and Chelsea's first, and only, estate based TMO and pre-dates the borough-wide TMO by nearly 3 years.
- 1.2 The EMB was formed prior to the Right to Manage regulations, which came into effect in April 1994, and the original management agreement was approved by the Secretary of State for the Environment under section 27 of the Housing Act 1985. This allowed Councils to make an agreement with a housing cooperative to take on the duties of the authority and act as a managing agent. The term cooperative included a society, company or body of trustees. In the case of Lancaster West the name of the society is the Lancaster West Management Association Limited and it is registered under the Industrial and Provident Societies Act 1965. The management committee of the Society is the Lancaster West Estate Management Board.
- 1.3 The composition of the Board must be no more than 15 and no less than 3 elected resident representatives. The Council also has the right to nominate 3 of its members to serve as full voting members of the Board. **(Vol 1 Chapter 7 clause 8)** The Board may also at any time co-opt up to 5 persons, whether or not a member of the Society, to serve on the Board in addition to the elected members. Co-opted members have full speaking and voting rights at meetings of the Board. The voting co-optees shall not be counted for the purposes of calculating a quorum but shall otherwise be full members of the Board. The Borough-wide TMO also has the right to nominate a Board member to serve on the Board in an observational capacity.
- 1.4 The EMB currently have the following Board composition
 - 11 Elected members of the society
 - 3 nominated councillors
 - 3 co-opted members with full voting and speaking rights

The quorum necessary for the transaction of business at a Board meeting for the EMB is 6 elected members of the society.

The current resident membership of the society at Lancaster West is **272 out of 900** tenancy and leasehold properties, and only 10% of this total or 15 members, whichever is the lesser, are required to attend the AGM in order to achieve a quorum.

2. Management functions

- 2.1 The most recent adaptation of the EMB's and the Boroughwide TMO's respective management agreements with the Council was concluded in April 2006, when the newly revised Modular management agreements, produced by the ODPM, were adopted.

2.2 The Lancaster West agreement

Clause 6 of volume 1, Chapter 1 of the EMB's agreement sets out its current management functions. In particular **clause 6.3** specifically relates to the TMO's role in providing these and states:

'Either party may, with the consent of the other, appoint another person to carry out management functions which are their responsibility under the Agreement and the parties have agreed to appoint **the Royal Borough of Kensington and Chelsea Tenant management organisation Limited** (The BWTMO) to carry out the functions described in Schedule 1(A).'

(See appendix 1)

A vast majority of the housing management functions are outlined as the responsibility of the BWTMO. The reason for this is that the BWTMO seconds its staff to provide local services to Lancaster West. Many services are also carried out centrally including financial management and the procurement of contracts, such as day-to-day repairs and cleaning services.

The only functions that are set out in Schedule 1 (A) as being the responsibility of the EMB are the following:

- Selection of tenants (for re-housing)
- Transfers
- Breaches of tenancy
- Anti-social behaviour
- Residents disputes

This is likely to be an administrative oversight as it would be inconsistent to provide the these services separately because:

- The selection of tenants and transfers are carried out by the BWTMO's Allocations team.
- The above tenancy management functions are delivered by the local team, however there are many other services that they also perform, such as the right to assign/succession and applications to sublet, which are specified as being the responsibility of the BWTMO.
- The staff are seconded from the TMO to work for the EMB and these functions should be considered to be the BWTMO's responsibility if it is to be in line with the rest of Schedule 1(A).

All the services provided by the TMO to the EMB are delivered and monitored through service level agreements which were established in 2006. (See section 2.4)

2.3 The BWTMO agreement

The TMO's management functions are set out in clause 6 of its agreement with the Council. Clause 6.1 of Chapter 1, Volume 1 states:

'The BWTMO will carry out management functions for the Property in accordance with the terms of this Agreement'

Schedule 1, which lists the land and property which are covered by the terms of the TMO's agreement includes the Lancaster West estate.

Clause 6.4 also states that

'The BWTMO agrees to exercise its functions in accordance with the performance standards set out in the schedules and appendices to the agreement'

There is no specific mention of the Lancaster West EMB, or to any prospective locally based TMOs taking on housing management functions in the future. However, Schedule 1A does describe the functions carried out by the BWTMO on behalf of the EMB and this covers all the housing management functions contained in the EMB's Modular Management Agreement. (see Appendix 2).

An amendment of clause 6 to allow for the development of future TMOs to avoid any ambiguity and potential dispute is worth considering. For example, in Brent, the Council's management agreement with the ALMO (Brent Housing Partnership) specifies:

'The Organisation (BHP) will assume all or any of those responsibilities of the Council notified by the Council to the Organisation which are set out in any management agreement made between the Council and any Tenant Management Organisation whether such agreement exists at the date of this Agreement or arises during the currency of it '

2.4 EMB/TMO Service Level agreements

The Audit Commission inspection of 2003 recommended that the service provision arrangements between the TMO and the EMB be formalised in written agreements. The SLAs are a formal statement of services which the Council had previously delegated to the TMO to provide to the EMB. All 3 parties were involved in the drafting of the SLAs, thus ensuring that there were no conflicts with the existing management agreements, and that the needs of all parties were taken in to consideration.

There are 9 SLAs covering

- Board member training
- Equalities
- Human resources
- Management of leasehold Services
- Rent Arrears collection
- Responsive repairs
- Programmed works
- Gas Servicing
- Planned Maintenance

There is currently no SLA for major works.

An audit of the SLAs was carried out in early 2008 which recommended that the TMO should implement the following recommendations:

- the SLAs need to more consistent in content
- an annual review of each SLA is carried out by the end of the financial year
- performance monitoring is applied uniformly across all service areas
- a series of systematic review meetings is undertaken twice yearly to cover performance, future workloads, results of satisfaction monitoring, complaints and reporting arrangements

3. Staffing and management of the relationship between the EMB and the Council

3.1 Clause 3.1 of chapter 7 volume 1 is explicit on the staffing arrangements for the EMB as follows:

'The BWTMO will second staff to the EMB, in order to fulfil the EMB's obligations to the Council. Individual post holders may change from time to time but will all be BWTMO employees, ultimately responsible to the BWTMO Chief Executive.'

However, despite the TMO seconding staff and all of its housing management and maintenance services to the EMB (with the exception of the pest control and concierge contracts), the liaison officer position is held with the Council's Client Services Manager.

Clause 6.1 of chapter 7 specifies that:

'... the Council will nominate an officer from the staff concerned with the management of the Council's housing to be the Liaison Officer between the Council and the EMB. The Liaison Officer will be the EMB's first point of contact on day-to-day matters concerning the operation of this Agreement and the obligations of the EMB and the Council under this Agreement. Any changes to the work of the liaison officer will be with the agreement of both parties. The role and responsibilities of the Liaison Officer are set out in Schedule 3.'

However, Schedule 3 states that these responsibilities are still under review. Therefore the clarification is required from the Council as to Liaison Officer's role.

3.2 In order to ensure good governance arrangements, the EMB are required to provide the Liaison Officer with copies of all agendas, papers and minutes of general meetings, committee meetings and subcommittee meetings. Clause 6.3 Chapter 7. The EMB Area Manager has confirmed that all Board papers are forwarded on to the Council, although this doesn't apply to committee meetings.

The EMB are also required to nominate a person who may be a member of the EMB Board to be the EMB liaison officer, who will be the Council's first point of contact. Clause 6.5 In practice this is the EMB's Area Manager, although he may not have been formally nominated by the Board

The Liaison Officer role requires further consideration as many other ALMOs in other London Boroughs have had this role delegated to them by their Councils e.g. Brent Housing Partnership, City West Homes and Homes for Islington.

(Nat Fed of TMO's looking to provide guidance on working arrangements between ALMOs and TMOs and Councils)

4. Performance, monitoring and review of standards

4.1 Performance standards

The EMB performance standards are covered in clause 1 of chapter 8 of the management agreement. The schedule in Volume 2 states that the EMB has adopted the procedures described in volume 2 of Chapter 8 of the BWTMO Agreement. This covers indicators such as KLOE compliance, review of ICT and systems service and supporting people data collection. **These are clearly not appropriate for the EMB to provide and therefore a separate schedule needs to be drafted which specifies the scope of performance standards and indicators that the EMB is required to submit.**

The following reviews are specified in the agreement

- **Twice-yearly reviews** to monitor the respective performance of the EMB and the Council in carrying out their management functions under the agreement. **(Clause 3 of Chapter 8)** After these meetings the Council is required to prepare a report that will evaluate the EMB's and its own performance and will send copies of the report to the EMB committee and feed the contents of the report into the Council's own monitoring arrangements.
- **Annual Review** (clause 4 of chapter 8). Within 3 months of the end of the financial year the EMB will produce a report for the previous financial year on its performance and that of the Council in comparison with the KPIs. The Council will provide the necessary information for the EMB to publish this report. A copy of the report should be sent to the Council, and to every resident on the estate. The report provides an opportunity to decide on the action needed to rectify any deficiencies in performance. Within 3 months of the annual review meeting the EMB will produce a report of the meeting, which will be presented to its AGM.
- **Five year and special reviews.** The Council should at least once every 5 years, monitor the total performance of the EMB in carrying out its management functions. The Council should focus on:
 - a) the democratic standards and control and the compliance with the EMB's Rules or Memorandum and Articles of Association;
 - b) implementation of the Equal Opportunities Policy and procedures;
 - c) the general efficiency of the EMB's administration and achievement of the performance standards required by the Agreement;
 - d) the EMB's standards of financial control and its financial viability
 - e) the allocation of vacant properties to housing applicants and the implementation of fair housing policies and good tenancy management.

The review report will identify any deficiencies in the EMB's performance, set out recommendations and the timescale by which to achieve them. The EMB has up to 2 months in which to respond in writing setting out which recommendations

they accept and their implementation plan, and those with which they disagree and why.

The Council can then either amend the report based on the EMB's response, or, if the disagreement remains then they may then seek resolution by applying the dispute and arbitration process set out in **clause 18 of chapter 7**.

Where the Council has reason to believe that the EMB has serious failings and there is no realistic prospect of remedying them, it may carry out a **Special Review** (which can take place within 2 years of the last review).

- **Test of opinion to continue the right to manage.** This exercise is carried out by the TMO as part of the borough-wide survey, and this includes a separate survey for resident members of Lancaster West.

These review arrangements, whilst demanding, are currently not being followed and may need to be adapted to be realistically achievable. A performance monitoring framework has been drafted by the EMB Area Manager and this may require further revision to take into consideration the above requirements.

(See appendix 3 for examples of good practice)

5. Variations to the agreement where the EMB indicates it wants to take on additional management functions

A paper is to be presented to the EMB Board, in June, for it to consider taking on significant additional management functions which are not covered within the scope of the existing management agreement. The driver to achieve more autonomy is linked to the challenge that both the Council and TMO face in meeting the projected reductions in capital and revenue funding and the resulting stock options appraisal.

The range of functions under consideration includes:

- Procurement of services to the estate such as responsive and planned maintenance, cleaning and grounds maintenance, and major works projects.
- Employing its own staff to deliver housing management services to Lancaster west, which would include having a dedicated HR budget to provide advice/support
- Delegating support services such as Financial management, Policy and Corporate communications and IT

The paper recognises that the EMB Board may choose to consider those options available or appropriate to Lancaster West in order to achieve more autonomy.

Any changes to the EMB's management responsibilities would need to follow either one of the following options:

1) A separate, and voluntary agreement, would need to be negotiated between the Council, TMO and the EMB, this is because **clause 6.3 of the EMB's management agreement**, which relates to the TMO's role in providing management functions on behalf of the EMB, is contractually binding. Therefore the variation clause 18(a) chapter 1 volume 1 would not apply.

These changes would also require the TMO's management agreement to be varied by negotiation. **(see Appendix 5 for the variation clause)**

2) Given that the responsibilities under consideration are extensive and entirely new to the EMB, a more in depth approach may be needed. This would require the EMB to initiate the Right to Manage process, subject to a majority support from tenant members, before serving a Notice on the Council. This is because the EMB was set up prior to the 1994 Right to Manage (RTM) regulations. The devolution of these functions would require a comprehensive feasibility and development process to be followed. The EMB does not have the same management status as other TMOs that have been developed since 1994, many of which already have some of these functions devolved to them because it pre-dated the RTM regulations.

6. Financial appraisal

The EMB monitors 2 budgets, the HRA budget and the Company budget.

HRA budget

This relates to most of the services provided on the estate such as repairs, void management and health and safety.

The total HRA budget for 2007-8 was £456,200. As a percentage of the TMO's equivalent budget of £3,570,700, this works out to be 12.78% of the global budget. The Lancaster West estate comprises of 900 properties and is the equivalent to 9.47% of the borough's overall housing stock.

A comparison of the key budget headings reveals the following differences:

Budget Heading	Lanc West (£)	Total HRA (£)	% of total budget
Health and Safety	50,000	142,600	35.06
Building repairs	288,000	2,538,000	11.35
Voids	80,000	684,000	11.70
Pest control	35,000	145,000	24.14
Bulk refuse	3,000	48,000	6.25

In most services Lancaster West receives a higher proportion of the budget in comparison to the number of properties on the estate.

In regard to health and safety, pest control and void properties, higher allocation of these budgets reflects the specific needs of the estate e.g. asbestos removal. However, there is no apparent reason why the repairs budget allocation is nearly 20% higher per property than the remainder of the borough. The estate has a similar percentage of tenants (78%) compared to the rest of the TMO managed stock (74%) so its response repair needs should be broadly similar. Consequently Lancaster West is receiving the equivalent of £57,168 per annum above its proportionate budget allocation. This has contributed to the repairs reserve of £546,778 that has accumulated. The higher allocation may have originally been applied due to Lancaster West's historic repairs costs when the EMB was first established.

Company Budgets

The two most significant budgets relate to staffing and associated costs and premises security. The TMO's costs amount to £248 per property compared to the EMB's costs at £422

per property (70% more than the TMO's costs). The TMO's costs will also further reduce in 2008/9 when the service reviews are complete. Further details can be found at appendix 4

Please note that these calculations include the cost of the EMB handyman who is employed to reduce repairing costs.

The cost of the estate services staff, including their service occupancies, is rechargeable to tenants. Lancaster West tenants are paying higher service charges as there are more caretakers per property (300) compared to the TMO average (360). The cost of service occupancy rents also add to this.

If the EMB were to operate at the same staffing levels as the TMO, it would be limited to a budget of £223,200 compared to the £380,410 it received last year.

The formula for calculating allowances for TMOs (produced by the CLG in 2005), which sets out the principles in determining budget allocations for repairs, exceptional repairs, programmed works, tenancy management, estate services, rent collection and staffing, is not currently being applied to the EMB. The guidance does recommend that a periodic review of these allowances can be sought by either the Council or the EMB where either the Council's costs have reduced significantly for a similar mix of dwellings, or the EMB's costs have increased substantially and an opportunity therefore exists to consider this.

The guidance also specifies that TMOs should receive an annual training and development budget for its Board and members. In many other London Boroughs, the formula which includes allowances for committee administration, training and tenant communication, is applied. The recommended allowance is a flat rate payment per annum of £5,000 and £10 per property. If this were applied to Lancaster West, the EMB could receive up to £14,000. Currently the EMB are allocated a budget of £500 a year, and this was not spent in 2007/8. As the EMB have not exercised the Right to Manage, further clarification may be required on whether the CLG's formula is relevant in this case.

If the CLG formula were to be applied to the Borough-wide TMO for the remaining 8,500 properties, it would be eligible for an equivalent budget of £90,000.

7. EMB Board aspirations

In April, the EMB considered its position in relation the Council's stock options appraisal. It agreed to conduct a separate stock options appraisal and estate investment plan and is seeking to appoint an independent tenant advisor (ITA).

Whilst the EMB could seek funding to commission a tenant led stock options appraisal, they would require the Council's support. However as the Council is already leading on a borough wide appraisal, it is unlikely to agree to a separate exercise at this stage. However the Council may commission Tribal to carry out a modelling exercise for Lancaster west as they would for many other estates. By following this approach it would be much easier to see how the levels of investment required for Lancaster west could be achieved in relation to the rest of the stock, rather than carrying out an isolated assessment which is likely to limit the outcomes to PFI or disposal.

The EMB have the option of applying to the Housing Corporation to appoint a different ITA to that of the BWTMO's. Nonetheless, the Housing Corporation would consult the Council before

approving the application. It may take the view that the appointment of an additional ITA is an unnecessary duplication, when the TMO's ITA could carry out this task for them.

Interviews were carried out with 4 EMB members, including the current chair and vice chair, and the 2 preceding chairmen. Their desire to have more autonomy to manage local services arises from a dissatisfaction with the current 3 way management arrangement between the Council, the EMB and the TMO. They feel that the EMB Area Manager is constrained by this relationship as he is answerable to two managers. The TMO is his employer however he is accountable to the EMB Board as well.

On occasion they have felt that they have wanted the manager to carry out certain projects and he has been constrained by virtue of being employed by the TMO and having to seek its consent. They also feel that they would be able to provide accountable, local services more efficiently, by reducing unnecessary overheads and through monitoring contractors and staff performance more effectively.

The Board has the following aims:

i) Employing their own staff

The Board wishes to simplify the tri-angular arrangement and have full independence from the TMO. This would mean employing the 11 staff who currently provide services locally to Lancaster West. If this were to be achieved, and they received a proportionate budget (9%) to cover functions such as finance and HR, as well as delivering services more efficiently, they believe that would be able to employ the equivalent of another member of staff to provide support to them in areas such as accountancy, company secretary and administration.

ii) Procuring and managing local service contracts

The Board would like to take on the procurement, selection, and management of local service contracts such as responsive repairs, cyclical maintenance such as drainage, and environmental services such as cleaning, grounds maintenance and horticulture. They want to carry out an evaluation of these services to decide which ones they would prioritise first. They believe that the procurement and management of the pest control contract with Rentokil at Lancaster west, demonstrates that they could apply this experience, and the skills learnt, to manage other contracts. In regard to repairs they have discovered cases where Connaughts have charged for work that was not done, or that was completed to a very poor standard. By having local management of the service they would be able to challenge this and therefore reduce costs and improve satisfaction. They would also look to expand the handyman role in carrying out routine repairs and, subject to negotiation, extend this service to neighbouring estates.

iii) Increased involvement in the delivery of major works contracts

The Board does not want to take on the management responsibility for more complex contracts such as major works. However it does wish to have a more integral role in their delivery of these contracts to improve partnership working with the project team. The Board would like to be involved at an earlier stage to contribute more effectively and influence decisions that are taken, as well as evaluating the impact these schemes will have on leaseholders' contributions towards projects.

lv) Stock options

The EMB Board believes that the greater autonomy it seeks would help to improve efficiencies and meet the revenue challenges facing the HR. In regard to stock options, the meeting was advised that the Council was leading on this, and as such the TMO was not in a position to negotiate on the EMB's behalf. The Board members clarified that when the Council reviews the options for Lancaster West they would expect to be consulted at an early stage and not be presented with a fait accompli.

It was also clarified that, whilst the TMO had been involved in the selection process, the Independent Tenant Advisor (ITA) was employed by, and responsible to, the Council. It was confirmed that the EMB would be prepared to work with the ITA as this position was independent from the TMO.

8. Procurement Contract management issues

The following issues will need to be considered if Lancaster West is to take on the role of contract procurement and management:

- 1) Meeting the Council's audit requirements
- 2) Contract regulations and procedures,
- 3) Specification, tendering and management of contracts
- 4) Good practice in contracts; equalities and diversity, health and safety, etc
- 5) Satisfying and keeping up to date with national and European procurement rules
- 6) Procurement strategy
- 7) Leasehold Consultation

The CityWest model

At CityWest all the TMOs procure and manage their own response repairs contracts for repairs up to a value of £1,000 each. The TMO's Board has the authority to let the contract in its name. Each TMO must use an approved list of contractors and can let contracts on a short term basis of 12 months using a schedule of rates, which is based on City West's schedule. If a repair exceeds £1,000 then this is referred to the local housing provider who will then carry out the work using the City wide contractor. CityWest's Building Services Surveyors provide the technical guidance and support in specifying, tendering and letting the contract at cost. This includes the good practice guidance on issues such as equalities and diversity, health and safety, best value etc. CityWest also provide updates and training for the TMOs on national and European procurement rules and CDM.

The TMOs follow the same procurement route as CWH to satisfy audit requirements. The TMO and it is responsible for monitoring the contract. If the contract budget overspends, this is either met from reserves, or additional funding is sought from CWH's contracts board. Most contracts are let to local builders who can provide the range of trades required to deliver the service. One medium sized builder now provides repairs services for 4 TMOs.

Some TMOs have also taken on responsibility for cyclical decorations contracts and where appropriate, they appoint their own Building Surveyor, Quantity Surveyor and Clerk of Works for the duration of the contract. CityWest's major works surveyor provides guidance on their appointment. They may also advise TMOs about economy of operations, for example, if 2 nearby TMOs are due to undergo cyclical decorations on their estates a joint tendering process would be recommended, or they may also decide to piggyback a CityWest project.

In regard to leaseholder consultation, the responsibility for this lies with CWH. The resident involvement team and the TMO surveyor draw up a consultation plan, and any queries regarding estimates and billing is directed to CWH's leasehold team.

9. Staff response

7 permanent staff were interviewed with the aim of:

- 1) Gauging their understanding of the current arrangements with the Lancaster West EMB,
- 2) Seeking their views about the EMB taking on more direct responsibility for local services and employment of staff.

(It was not possible to interview 3 permanent staff who were on leave)

1) All staff generally had a good understanding of the 3 way relationship between the Council, the TMO and the EMB, although some believed that this had not been made clear to them when they first started working at Lancaster West.

2) The staff were evenly divided in to those who were very positive about the EMB's aspirations and those who were rather concerned about its implications. There was also one staff member who welcomed the idea but had some reservations about the EMB's capacity, competence and capability in meeting these challenges.

Those who supported the proposal

This group welcomed the EMB taking on greater responsibility for the following reasons:

- the arrangement would be simpler and they would be accountable to one employer who was based on the estate, rather than currently being answerable to two
- the current arrangement was confusing as the manager often had to go to the TMO to make decisions
- the EMB did a good job and it has been established for long enough to have the necessary experience to bring about improvements
- the EMB had been the template for setting up the borough-wide TMO as it had been established 3 years earlier and had already been successful
- their terms and conditions would be safeguarded and the governance arrangements and codes of conduct would protect the staff even if the membership of the Board changed
- they would be better informed if the EMB were managing the estate, and they would know more about cyclical maintenance programmes and other works as decisions about these would be taken locally
- the EMB would be more receptive to the training needs of staff as they would be closer to them
- it would make services more accountable and democratic

Those who had concerns

This group expressed clear reservations about the Board's ability to take on a more challenging role due to the following:

- the Board does not have the necessary experience to manage the staff and the office
- only 2-3 Board members have the necessary ability, and if they left the Board would not be sustainable
- the Board may not have the capacity to take on these extra responsibilities and there may be an expectation for the staff to do more as a result
- staff may not enjoy the same protection that currently exists with the TMO and staff could therefore be more exposed to the demands of individual Board members
- the EMB do not keep the staff well informed now, this situation could potentially deteriorate if the EMB becomes more autonomous
- uncertainty exists about what would happen if the EMB failed
- if staff were dissatisfied with a management decision they were concerned as to whom they could complain if they're independent from the TMO

10. Stock investment profile (likely to be included in financial appraisal)

Still awaiting details

Appendix 1

Lancaster West EMB Management Agreement

SCHEDULE 1A

Appointment of BWTMO under Chapter 1, Clause 6.3

Description of functions carried out by the BWTMO on behalf of the EMB to discharge the EMB's obligations to the Council under this MMA and description of functions carried out by BWTMO on behalf of the Council to discharge the Council's obligations under this MMA.

KEY: responsibility = •

Clause in MMA	Function	Responsibility			
			Council to BWTMO	EMB to BWTMO	
Chapter 1	General Provisions				
Ch1, c9	Confidentiality			•	
Ch1, c10	Equal Opportunities			•	
Ch1, c11	Training			•	
Ch1, c12	Information			•	
Ch1, c14	Right to Represent			•	
Ch1 c17	Tenant consultation re decision to continue with the agreement			•	
Chapter 2	Repairs & Maintenance				
Ch2, c1,2,3	Repairs and Planned Maintenance			•	
Ch2, c4,5	Initiation of Major Works		•		

Ch2, c4.3	Major Works Consultation			•	
Ch2, c6	Undertaking of Major Works		•		
Ch2, c10	Provision of Estate Services			•	
Ch2, c11	Right to Improve			•	
Ch2, c12	Right to Repair			•	
Chapter 3	Rent & Service Charges				
Ch3, c1	Confidentiality and Procedures			•	
Ch3, c2	Rent Collection			•	
Ch3, c3	Rent Arrears Control			•	
Ch3, c5	Former Tenant Arrears			•	
Ch3, c8	Notification of Rent Changes		•		
Ch3, c9	Payment of Rents			•	
Ch3, c11	Bad Debts / Write-offs			•	
Chapter 4	Leaseholder and Freeholder Service Charges			•	
Ch4, c1	Confidentiality and Procedures			•	
Ch4, c2	Information			•	
Ch4, c3	Calculation and Sending Demands			•	
Ch4, c4,5	Ground Rents and arrears, Service charge arrears.			•	
Ch4 c6 ,7,8	Consultation on service charges, billing collection and arrears			•	
Chapter 5	Financial Management				
Ch5, c2	Receipt of Allowances			•	
Ch5, c5	Financial Control and Accounting Standards			•	
Ch5, c8	Reserve Funds				
Ch5, c9	Major Works Account			•	
Ch5, c10	Financial Reports			•	
Ch5, c15	Contracts			•	
Chapter 6	Tenancy Management				
Ch6, c3	Selection of Tenants				
Ch6, c4	Transfers				
Ch6, c7	Breaches of Tenancy				
Ch6, c8	Anti-Social Behaviour				
Ch6 c9	Residents Disputes				
Ch6, c10	Unlawful Occupation			•	
Ch6, c11	Void Dwellings			•	
Ch6, c12	Right to Exchange			•	

Ch6 , c13	Right to Assign			•	
Ch6, c 14	Apps to Sublet			•	
Ch6, c15	Right to Succession			•	
Ch6 c16	Giving Consents			•	
Ch6 c18	Right to Buy (pre-contract enquiries)			•	
Ch6, c20	Tenants Compact			•	
Ch6, c21	Recognition of Tenants Association			•	
Chapter 7	Staffing and Management of Relationship				
Ch7, c2	Employment of Staff			•	
Ch7, c4	Employment of Contractors			•	
Ch7, c15,16	Statutory /Non Statutory Consultation			•	
Ch7, c17	Complaints			•	
Chapter 8	Performance, Monitoring and Reviewing of Standards			•	
Ch8, c4	EMB Performance Report				

Appendix 2

Volume 2 Chapter 1 General Provisions of the Agreement

SCHEDULE 1A

Description of functions carried out by the BWTMO on behalf of the EMB to discharge the EMB's obligations to the Council under the EMB MMA and description of functions carried out by the BWTMO on behalf of the Council to discharge the Councils obligations under the EMB MMA.

KEY: responsibility = •

		Responsibility			
Clause in EMB MMA	Function			BWTMO	
Chapter 1	General Provisions				
Ch1, c9	Confidentiality			•	
Ch1, c10	Equal Opportunities			•	
Ch1, c11	Training			•	
Ch1, c12	Information			•	
Ch1, c14	Right to Represent			•	

Chapter 2	Repairs & Maintenance				
Ch2, c1,2,3	Repairs and Planned Maintenance			•	
Ch2, c4,5	Initiation of Major Works			•	
Ch2, c6	Undertaking of Major Works			•	
Ch2, c8	Replacement Responsibilities			•	
Ch2, c9	Insurance Repairs			•	
Ch2, c10	Provision of Estate Services			•	
Ch2, c11	Right to Improve			•	
Ch2, c12	Right to Repair			•	
Chapter 3	Rent & Service Charges				
Ch3, c1	Confidentiality and Procedures			•	
Ch3, c2	Rent Collection			•	
Ch3, c3	Rent Arrears Control			•	
Ch3, c5	Former Tenant Arrears			•	
Ch3, c8	Notification of Rent Changes		•		
Ch3, c9	Payment of Rents			•	
Ch3, c11	Bad Debts/Write-offs			•	

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Chapter 4	Leaseholder and Freeholder Service Charges			•	
Ch4, c1	Confidentiality and Procedures			•	
Ch4, c2	Information			•	
Ch4, c3	Calculation and Sending Demands			•	
Ch4, c4,5	Ground Rents and arrears, Service charge arrears.			•	
Ch4 c6 ,7,8	Consultation on service charges, billing collection and arrears			•	
Chapter 5	Financial Management				
Ch5, c4	Banking Arrangements			•	
Ch5, c5	Financial Control and Accounting Standards			•	
Ch5, c8	Reserve Funds			•	
Ch5, c9	Major Works Account			•	
Ch5, c10	Financial Reports			•	
Ch5, c15	Contracts			•	

Chapter 6	Tenancy Management				
Ch6, c3	Selection of Tenants			•	
Ch6, c4	Transfers			•	
Ch6, c5	Introductory Tenancy			•	
Ch6, c7	Breaches of Tenancy			•	
Ch6, c8	Anti-Social Behaviour			•	
Ch6 c9	Residents Disputes			•	
Ch6, c10	Unlawful Occupation			•	
Ch6, c11	Void Dwellings			•	
Ch6, c12	Right to Exchange			•	
Ch6, c13	Right to Assign			•	
Ch6, c14	Apps to Sublet			•	
Ch6, c15	Right to Succession			•	
Ch6 c16	Giving Consents			•	
Ch6 c18	Right to Buy (pre-contract enquiries)			•	
Chapter 7	Staffing and Management of Relationship				
Ch7, c2	Employment of Staff			•	
Ch7, c4	Employment of Contractors			•	
Ch7, c15,16	Statutory/Non Statutory Consultation			•	
Ch7, c17	Complaints			•	

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Chapter 8	Performance, Monitoring and Reviewing of Standards				
Ch8, c4	EMB Performance Report			•	

Appendix 3 Examples of good practice

CityWest Homes has 14 TMOs set up whose management portfolio ranges from 63 to 876 properties. It has a comprehensive monitoring system in place to ensure that the TMOs meet their obligations in the following areas:

Governance, which includes TMO Committee Structure, Policy, Decision Making, Finance and Business Planning, VAT registration and records and administration.

Service delivery such as tenant involvement, allocations, maintenance, cyclical decorations and associated works

Corporate responsibilities including health and safety, equal opportunities and employment.

City West's monitoring plan sets out which teams, are responsible for carrying out these tasks, for example Residents Involvement, the Complaints team and Health and Safety. All of these services are provided by the ALMO. The frequency of monitoring is also outlined in the plan whether it is monthly, quarterly, annually or by exception, or if it is a requirement at an Annual General Meeting or General Meeting of the TMO.

By having this checklist in place, it is immediately transparent as to what the respective responsibilities of all the parties to the agreement are.

It also has nominated officers to handle any complaints from tenants who are not satisfied with the TMO's performance in the following areas

Response repairs- Building Services Manager

Major works- Major works surveyor

Housing management – the Resident Involvement Manager

This ensures that there is a clear and consistent approach is taken in dealing with any dissatisfaction with the service.

Walsall have a similar health check on TMOs which reviews performance on an annual basis, which is broken down in to:

Housing Management information on performance indicators, such as rent collection, rent arrears, empty properties, responsive repairs and estate cleaning.

Financial Information on the number of management staff, management staff pay costs, M and M allowances, routine repair costs and the total surplus fund.

Governance/Organisational Information covering membership levels, no of general meetings, no of quorate meetings, management committee meetings, quorate management committee meetings, number of committee members, management committee training and spend on training.

TMO

Text Post	Job Title	Name	Cost in Budget 08-09	% for comparison	TMO Cost
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Head of R&C Services	52,221	50%	26,110.00
Customer Services Coordinator	32,289	100%	32,289.00
Customer Services Coordinator	41,239	100%	41,239.00
Customer Services Advisor	31,264	100%	31,264.00
Customer Services Advisor	21,979	100%	21,979.00
Customer Services Advisor	26,566	100%	26,566.00
Customer Services Advisor	30,387	100%	30,387.00
Customer Services Advisor	25,829	100%	25,829.00
Customer Services Advisor	24,055	100%	24,055.00
Customer Services Advisor	26,566	100%	26,566.00
Customer Services Advisor	26,617	100%	26,617.00
Customer Services Advisor	26,664	100%	26,664.00
Customer Services Advisor	27,108	100%	27,108.00
Customer Services Advisor	28,121	100%	28,121.00
Customer Services Advisor	29,454	100%	29,454.00
Customer Services Advisor	16,596	100%	16,596.00
Customer Services Advisor	27,559	100%	27,559.00
CSC Trainee	26,224	100%	26,224.00

520,738

494,627

Head of N'hood Mgt (North)	56,718	100%	56,718.00
Area Housing Manager	54,265	100%	54,265.00
Area Housing Manager	44,430	100%	44,430.00
Housing Officer	42,264	100%	42,264.00
Housing Officer	33,336	100%	33,336.00
Housing Officer	36,018	100%	36,018.00
Housing Officer	38,120	100%	38,120.00
Housing Officer	42,218	100%	42,218.00
Housing Officer	41,239	100%	41,239.00
Graduate Trainee	23,571	100%	23,571.00
Team Support	26,224	100%	26,224.00
Estate Supervisor	34,806	100%	34,806.00
Estate Supervisor	35,988	100%	35,988.00
Caretaker	27,159	100%	27,159.00
Caretaker	25,795	100%	25,795.00
Caretaker	31,035	100%	31,035.00
Caretaker	28,246	100%	28,246.00
Caretaker	26,807	100%	26,807.00
Caretaker	26,224	100%	26,224.00
Caretaker	28,066	100%	28,066.00
Caretaker	26,807	100%	26,807.00
Caretaker	25,795	100%	25,795.00
Caretaker	25,795	100%	25,795.00
Caretaker	25,795	100%	25,795.00

806,720

806,721

Voids Officer	29,431	100%	29,431.00
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Head of N'hood Mgt (South)	60,840	100%	60,840.00
Area Housing Manager	52,242	100%	52,242.00
Area Housing Manager (Job Share)	26,833	100%	26,833.00
Area Housing Manager (Job Share)	25,254	100%	25,254.00
Housing Officer	40,796	100%	40,796.00
Housing Officer (18 Hours)	21,379	100%	21,379.00

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Appendix 5

Varying the agreement

The agreement, which the EMB has with the Council, can be varied in a number of ways. Where the EMB wants to take on additional functions, clause 18(a) of chapter 1 of volume 1 of the agreement, states that it would need to:

i) obtain certification by an Approved Person* that, in relation to additional management functions that the EMB wishes to exercise which are included as options in the Modular Management Agreement, the EMB has the required level of competence; and

ii) then giving the Council at least six months written notice, or such other period as may be agreed, that it has decided by a simple majority vote at a general meeting to take on those management functions, in which case this Agreement will be varied by adopting the appropriate clauses of the MMA.

* An Approved Person is a person approved by the Secretary of State under the Right to manage regulations , to confirm the competence of the EMB to take on the range of management functions chosen.

10 July 2008

Lancaster West EMB position statement

1. Constitutional background

- 1.1 The Lancaster West Estate Management Board (EMB) was established in May 1993 with the assistance of PEP consultants. It is Kensington and Chelsea's first, and only, estate based TMO and pre-dates the borough-wide TMO by nearly 3 years.
- 1.2 The EMB was formed prior to the Right to Manage regulations, which came into effect in April 1994, and the original management agreement was approved by the Secretary of State for the Environment under section 27 of the Housing Act 1985. This allowed Councils to make an agreement with a housing cooperative to take on the duties of the authority and act as a managing agent. The term cooperative included a society, company or body of trustees. In the case of Lancaster West the name of the society is the Lancaster West Management Association Limited and it is registered under the Industrial and Provident Societies Act 1965. The management committee of the Society is the Lancaster West Estate Management Board.
- 1.3 The composition of the Board must be no more than 15 and no less than 3 elected resident representatives. The Council also has the right to nominate 3 of its members to serve as full voting members of the Board. **(Vol1 Chapter 7 clause 8)** The Board may also at any time co-opt up to 5 persons, whether or not a member of the Society, to serve on the Board in addition to the elected members. Co-opted members have full speaking and voting rights at meetings of the Board. The voting co-optees shall not be counted for the purposes of calculating a quorum but shall otherwise be full members of the Board. The Borough-wide TMO also has the right to nominate a Board member to serve on the Board in an observational capacity.
- 1.4 The EMB currently have the following Board composition
 - 11 Elected members of the society
 - 3 nominated councillors
 - 3 co-opted members with full voting and speaking rights

The quorum necessary for the transaction of business at a Board meeting for the EMB is 6 elected members of the society.

The current resident membership of the society at Lancaster West is **272 out of 900** tenancy and leasehold properties, and only 10% of this total or 15 members, which ever is the lesser, are required to attend the AGM in order to achieve a quorum.

2. Management functions

- 2.1 The most recent adaptation of the EMB's and the Boroughwide TMO's respective management agreements with the Council was concluded in April 2006, when the newly revised Modular management agreements, produced by the ODPM, were adopted.

2.2 The Lancaster West agreement

Clause 6 of volume 1, Chapter 1 of the EMB's agreement sets out its current management functions. In particular **clause 6.3** specifically relates to the TMO's role in providing these and states:

'Either party may, with the consent of the other, appoint another person to carry out management functions which are their responsibility under the Agreement and the parties have agreed to appoint **the Royal Borough of Kensington and Chelsea Tenant management organisation Limited** (The BWTMO) to carry out the functions described in Schedule 1(A).'
(see appendix 1)

A vast majority of the housing management functions are outlined as the responsibility of the BWTMO. The reason for this is that the BWTMO seconds its staff to provide local services to Lancaster West. Many services are also carried out centrally including financial management and the procurement of contracts, such as day to day repairs and cleaning services.

The only functions that are set out in Schedule1(A) as being the responsibility of the EMB are the following:

- Selection of tenants (for re-housing)
- Transfers
- Breaches of tenancy
- Anti-social behaviour
- Residents disputes

This is likely to be an administrative oversight as it would be inconsistent to provide the these services separately because:

- The selection of tenants and transfers are carried out by the BWTMO's Allocations team.
- The above tenancy management functions are delivered by the local team, however there are many other services that they also perform, such as the right to assign/ succession and applications to sublet, which are specified as being the responsibility of the BWTMO.
- The staff are seconded from the TMO to work for the EMB and these functions should be considered to be the BWTMO's responsibility if it is to be in line with the rest of Schedule 1(A).

All the services provided by the TMO to the EMB are delivered and monitored through service level agreements which were established in 2006. (see section 2.4)

2.3 The BWTMO agreement

The TMO's management functions are set out in clause 6 of its agreement with the Council. Clause 6.1 of Chapter 1 , Volume 1 states:

'The BWTMO will carry out management functions for the Property in accordance with the terms of this Agreement'

Schedule1, which lists the land and property which are covered by the terms of the TMO's agreement includes the Lancaster West estate.

Clause 6.4 also states that

'The BWTMO agrees to exercise its functions in accordance with the performance standards set out in the schedules and appendices to the agreement'

There is no specific mention of the Lancaster West EMB, or to any prospective locally based TMOs taking on housing management functions in the future. However, Schedule 1A does describe the functions carried out by the BWTMO on behalf of the EMB and this covers all the housing management functions contained in the EMB's Modular Management Agreement. (see Appendix 2).

An amendment of clause 6 to allow for the development of future TMOs to avoid any ambiguity and potential dispute is worth considering. For example, in Brent, the Council's management agreement with the ALMO (Brent Housing Partnership) specifies:

'The Organisation (BHP) will assume all or any of those responsibilities of the Council notified by the Council to the Organisation which are set out in any management agreement made between the Council and any Tenant Management Organisation whether such agreement exists at the date of this Agreement or arises during the currency of it '

2.4 EMB/TMO Service Level agreements

The Audit Commission inspection of 2003 recommended that the service provision arrangements between the TMO and the EMB be formalised in written agreements. The SLAs are a formal statement of services which the Council had previously delegated to the TMO to provide to the EMB. All 3 parties were involved in the drafting of the SLAs, thus ensuring that there were no conflicts with the existing management agreements, and that the needs of all parties were taken in to consideration.

There are 9 SLAs covering

- Board member training
- Equalities
- Human resources
- Management of leasehold Services
- Rent Arrears collection
- Responsive repairs
- Programmed works
- Gas Servicing
- Planned Maintenance

There is currently no SLA for major works.

An audit of the SLAs was carried out in early 2008 which recommended that the TMO should implement the following recommendations:

- the SLAs need to more consistent in content
- an annual review of each SLA is carried out by the end of the financial year
- performance monitoring is applied uniformly across all service areas
- a series of systematic review meetings is undertaken twice yearly to cover performance, future workloads, results of satisfaction monitoring, complaints and reporting arrangements

3. Staffing and management of the relationship between the EMB and the Council

3.1 Clause 3.1 of chapter 7 volume 1 is explicit on the staffing arrangements for the EMB as follows:

'The BWTMO will second staff to the EMB, in order to fulfil the EMB's obligations to the Council. Individual post holders may change from time to time but will all be BWTMO employees, ultimately responsible to the BWTMO Chief Executive.'

However, despite the TMO seconding staff and all of its housing management and maintenance services to the EMB (with the exception of the pest control and concierge contracts), the liaison officer position is held with the Council's Client Services Manager.

Clause 6.1 of chapter 7 specifies that:

'...the Council will nominate an officer from the staff concerned with the management of the Council's housing to be the Liaison Officer between the Council and the EMB. The Liaison Officer will be the EMB's first point of contact on day to day matters concerning the operation of this Agreement and the obligations of the EMB and the Council under this Agreement. Any changes to the work of the Liaison officer will be with the agreement of both parties. The role and responsibilities of the Liaison Officer are set out in Schedule 3.'

However, Schedule 3 states that these responsibilities are still under review. Therefore the clarification is required from the Council as to Liaison Officer's role.

3.2 In order to ensure good governance arrangements, the EMB are required to provide the Liaison Officer with copies of all agendas, papers and minutes of general meetings, committee meetings and subcommittee meetings. Clause 6.3 Chapter 7. The EMB Area Manager has confirmed that all Board papers are forwarded on to the Council, although this doesn't apply to committee meetings.

The EMB are also required to nominate a person who may be a member of the EMB Board to be the EMB liaison officer, who will be the Council's first point of contact. Clause 6.5 In practice this is the EMB's Area Manager, although he may not have been formally nominated by the Board

The Liaison Officer role requires further consideration as many other ALMOs in other London Boroughs have had this role delegated to them by their Councils e.g Brent Housing Partnership, City West Homes and Homes for Islington.

(Nat Fed of TMO's looking to provide guidance on working arrangements between ALMOs and TMOs and Councils)

4. Performance, monitoring and review of standards

4.1 Performance standards

The EMB performance standards are covered in clause 1 of chapter 8 of the management agreement. The schedule in Volume 2 states that the EMB has adopted the procedures described in volume 2 of Chapter 8 of the BWTMO Agreement. This covers indicators such as KLOE compliance, review of ICT and systems service and supporting people data collection. **These are clearly not appropriate for the EMB to provide and therefore a separate schedule needs to be drafted which specifies the scope of performance standards and indicators that the EMB is required to submit.**

The following reviews are specified in the agreement

- **Twice yearly reviews** to monitor the respective performance of the EMB and the Council in carrying out their management functions under the agreement. **(Clause 3 of Chapter 8)** After these meetings the Council is required to prepare a report that will evaluate the EMB's and its own performance and will send copies of the report to the EMB committee and feed the contents of the report into the Council's own monitoring arrangements.
- **Annual Review** (clause 4 of chapter 8). Within 3 months of the end of the financial year the EMB will produce a report for the previous financial year on its performance and that of the Council in comparison with the KPIs. The Council will provide the necessary information for the EMB to publish this report. A copy of the report should be sent to the Council, and to every resident on the estate. The report provides an opportunity to decide on the action needed to rectify any deficiencies in performance. Within 3 months of the annual review meeting the EMB will produce a report of the meeting, which will be presented to its AGM.
- **Five year and special reviews.** The Council should at least once every 5 years, monitor the total performance of the EMB in carrying out its management functions. The Council should focus on:
 - a) the democratic standards and control and the compliance with the EMB's Rules or Memorandum and Articles of Association;
 - b) implementation of the Equal Opportunities Policy and procedures;
 - c) the general efficiency of the EMB's administration and achievement of the performance standards required by the Agreement;
 - d) the EMB's standards of financial control and its financial viability
 - e) the allocation of vacant properties to housing applicants and the implementation of fair housing policies and good tenancy management.

The review report will identify any deficiencies in the EMB's performance, set out recommendations and the timescale by which to achieve them. The EMB has up to 2 months in which to respond in writing setting out which recommendations

they accept and their implementation plan, and those with which they disagree and why.

The Council can then either amend the report based on the EMB's response, or if the disagreement remains then they may then seek resolution by applying the dispute and arbitration process set out in **clause 18 of chapter 7**.

Where the Council has reason to believe that the EMB has serious failings and there is no realistic prospect of remedying them, it may carry out a **Special Review** (which can take place within 2 years of the last review).

- **Test of opinion to continue the right to manage** This exercise is carried out by the TMO as part of the borough-wide survey, and this includes a separate survey for resident members of Lancaster West.

These review arrangements, whilst demanding, are currently not being followed and may need to be adapted to be realistically achievable. A performance monitoring framework has been drafted by the EMB Area Manager and this may require further revision to take into consideration the above requirements.

(See appendix 3 for examples of good practice)

5. Variations to the agreement where the EMB indicates it wants to take on additional management functions

A paper is to be presented to the EMB Board, in June, for it to consider taking on significant additional management functions which are not covered within the scope of the existing management agreement. The driver to achieve more autonomy is linked to the challenge that both the Council and TMO face in meeting the projected reductions in capital and revenue funding and the resulting stock options appraisal.

The range of functions under consideration includes.

- Procurement of services to the estate such as responsive and planned maintenance, cleaning and grounds maintenance, and major works projects.
- Employing its own staff to deliver housing management services to Lancaster west, which would include having a dedicated HR budget to provide advice/support
- Delegating support services such as Financial management, Policy and Corporate communications and IT

The paper recognises that the EMB Board may choose to consider those options available or appropriate to Lancaster West in order to achieve more autonomy.

Any changes to the EMB's management responsibilities would need to follow either one of the following options:

1) A separate, and voluntary agreement, would need to be negotiated between the Council, TMO and the EMB, this is because **clause 6.3 of the EMB's management agreement**, which relates to the TMO's role in providing management functions on behalf of the EMB, is contractually binding. Therefore the variation clause 18(a) chapter 1 volume 1 would not apply

These changes would also require the TMO's management agreement to be varied by negotiation. **(see Appendix 5 for the variation clause)**

2) Given that the responsibilities under consideration are extensive and entirely new to the EMB, a more in depth approach may be needed. This would require the EMB to initiate the Right to Manage process, subject to a majority support from tenant members, before serving a Notice on the Council. This is because the EMB was set up prior to the 1994 Right to Manage (RTM) regulations. The devolution of these functions would require a comprehensive feasibility and development process to be followed. The EMB does not have the same management status as other TMOs that have been developed since 1994, many of which already have some of these functions devolved to them because it pre-dated the RTM regulations.

6. Financial appraisal

The EMB monitors 2 budgets, the HRA budget and the Company budget.

HRA budget

This relates to most of the services provided on the estate such as repairs, void management and health and safety.

The total HRA budget for 2007-8 was £456,200. As a percentage of the TMO's equivalent budget of £3,570,700, this works out to be 12.78% of the global budget. The Lancaster West estate comprises of 900 properties and is the equivalent to 9.47% of the borough's overall housing stock.

A comparison of the key budget headings reveals the following differences:

Budget Heading	Lanc West (£)	Total HRA (£)	% of total budget
Health and Safety	50,000	142,600	35.06
Building repairs	288,000	2,538,000	11.35
Voids	80,000	684,000	11.70
Pest control	35,000	145,000	24.14
Bulk refuse	3,000	48,000	6.25

In most services Lancaster West receives a higher proportion of the budget in comparison to the number of properties on the estate.

In regard to health and safety, pest control and void properties, higher allocation of these budgets reflects the specific needs of the estate e.g asbestos removal. However, there is no apparent reason why the repairs budget allocation is nearly 20% higher per property than the remainder of the borough. The estate has a similar percentage of tenants (78%) compared to the rest of the TMO managed stock (74%) so its response repair needs should be broadly similar. Consequently Lancaster West is receiving the equivalent of £57,168 per annum above its proportionate budget allocation. This has contributed to the repairs reserve of £546,778 that has accumulated. The higher allocation may have originally been applied due to Lancaster West's historic repairs costs when the EMB was first established.

Company Budgets

The two most significant budgets relate to staffing and associated costs and premises security. The TMO's costs amount to £248 per property compared to the EMB's costs at £422

per property (70% more than the TMO's costs). The TMO's costs will also further reduce in 2008/9 when the service reviews are complete. Further details can be found at appendix 4

Please note that these calculations include the cost of the EMB handyman who is employed to reduce repairing costs.

The cost of the estate services staff, including their service occupancies, is rechargeable to tenants. Lancaster West tenants are paying higher service charges as there are more caretakers per property (300) compared to the TMO average (360). The cost of service occupancy rents also add to this.

If the EMB were to operate at the same staffing levels as the TMO, it would be limited to a budget of £223,200 compared to the £380,410 it received last year.

The formula for calculating allowances for TMOs (produced by the CLG in 2005), which sets out the principles in determining budget allocations for repairs, exceptional repairs, programmed works, tenancy management, estate services, rent collection and staffing, is not currently being applied to the EMB. The guidance does recommend that a periodic review of these allowances can be sought by either the Council or the EMB where either the Council's costs have reduced significantly for a similar mix of dwellings, or the EMB's costs have increased substantially and an opportunity therefore exists to consider this.

The guidance also specifies that TMOs should receive an annual training and development budget for its Board and members. In many other London Boroughs, the formula which includes allowances for committee administration, training and tenant communication, is applied. The recommended allowance is a flat rate payment per annum of £5,000 and £10 per property. If this were applied to Lancaster West, the EMB could receive up to £14,000. Currently the EMB are allocated a budget of £500 a year, and this was not spent in 2007/8. As the EMB have not exercised the Right to Manage, further clarification may be required on whether the CLG's formula is relevant in this case.

If the CLG formula were to be applied to the Borough-wide TMO for the remaining 8,500 properties, it would be eligible for an equivalent budget of £90,000.

7. EMB Board aspirations

In April, the EMB considered its position in relation the Council's stock options appraisal. It agreed to conduct a separate stock options appraisal and estate investment plan and is seeking to appoint an independent tenant advisor (ITA).

Whilst the EMB could seek funding to commission a tenant led stock options appraisal, they would require the Council's support. However as the Council is already leading on a borough wide appraisal, it is unlikely to agree to a separate exercise at this stage. However the Council may commission Tribal to carry out a modelling exercise for Lancaster west as they would for many other estates. By following this approach it would be much easier to see how the levels of investment required for Lancaster west could be achieved in relation to the rest of the stock, rather than carrying out an isolated assessment which is likely to limit the outcomes to PFI or disposal.

The EMB have the option of applying to the Housing Corporation to appoint a different ITA to that of the BWTMO's. Nonetheless, the Housing Corporation would consult the Council before

approving the application. It may take the view that the appointment of an additional ITA is an unnecessary duplication, when the TMO's ITA could carry out this task for them.

Interviews were carried out with 4 EMB members, including the current chair and vice chair, and the 2 preceding chairmen. Their desire to have more autonomy to manage local services arises from a dissatisfaction with the current 3 way management arrangement between the Council, the EMB and the TMO. They feel that the EMB Area Manager is constrained by this relationship as he is answerable to two managers. The TMO is his employer however he is accountable to the EMB Board as well.

On occasion they have felt that they have wanted the manager to carry out certain projects and he has been constrained by virtue of being employed by the TMO and having to seek its consent. They also feel that they would be able to provide accountable, local services more efficiently, by reducing unnecessary overheads and through monitoring contractors and staff performance more effectively.

The Board has the following aims:

i) Employing their own staff

The Board wishes to simplify the tri-angular arrangement and have full independence from the TMO. This would mean employing the 11 staff who currently provide services locally to Lancaster West. If this were to be achieved, and they received a proportionate budget (9%) to cover functions such as finance and HR, as well as delivering services more efficiently, they believe that would be able to employ the equivalent of another member of staff to provide support to them in areas such as accountancy, company secretary and administration.

ii) Procuring and managing local service contracts

The Board would like to take on the procurement, selection, and management of local service contracts such as responsive repairs, cyclical maintenance such as drainage, and environmental services such as cleaning, grounds maintenance and horticulture. They want to carry out an evaluation of these services to decide which ones they would prioritise first. They believe that the procurement and management of the pest control contract with Rentokil at Lancaster west, demonstrates that they could apply this experience, and the skills learnt, to manage other contracts. In regard to repairs they have discovered cases where Connaughts have charged for work that was not done, or that was completed to a very poor standard. By having local management of the service they would be able to challenge this and therefore reduce costs and improve satisfaction. They would also look to expand the handyman role in carrying out routine repairs and, subject to negotiation, extend this service to neighbouring estates.

iii) Increased involvement in the delivery of major works contracts

The Board does not want to take on the management responsibility for more complex contracts such as major works. However it does wish to have a more integral role in their delivery of these contracts to improve partnership working with the project team. The Board would like to be involved at an earlier stage to contribute more effectively and influence decisions that are taken, as well as evaluating the impact these schemes will have on leaseholders' contributions towards projects.

lv) Stock options

The EMB Board believes that the greater autonomy it seeks would help to improve efficiencies and meet the revenue challenges facing the HR. In regard to stock options, the meeting was advised that the Council was leading on this, and as such the TMO was not in a position to negotiate on the EMB's behalf. The Board members clarified that when the Council reviews the options for Lancaster West they would expect to be consulted at an early stage and not be presented with a fait accompli.

It was also clarified that, whilst the TMO had been involved in the selection process, the Independent Tenant Advisor (ITA) was employed by, and responsible to, the Council. It was confirmed that the EMB would be prepared to work with the ITA as this position was independent from the TMO.

8. Procurement Contract management issues

The following issues will need to be considered if Lancaster West is to take on the role of contract procurement and management:

- 1) Meeting the Council's audit requirements
- 2) Contract regulations and procedures,
- 3) Specification, tendering and management of contracts
- 4) Good practice in contracts; equalities and diversity, health and safety, etc
- 5) Satisfying and keeping up to date with national and European procurement rules
- 6) Procurement strategy
- 7) Leasehold Consultation

The CityWest model

At CityWest all the TMOs procure and manage their own response repairs contracts for repairs up to a value of £1,000 each. The TMO's Board has the authority to let the contract in its name. Each TMO must use an approved list of contractors and can let contracts on a short term basis of 12 months using a schedule of rates, which is based on City West's schedule. If a repair exceeds £1,000 then this is referred to the local housing provider who will then carry out the work using the City wide contractor. CityWest's Building Services Surveyors provide the technical guidance and support in specifying, tendering and letting the contract at cost. This includes the good practice guidance on issues such as equalities and diversity, health and safety, best value etc. CityWest also provide updates and training for the TMOs on national and European procurement rules and CDM.

The TMOs follow the same procurement route as CWH to satisfy audit requirements. The TMO and it is responsible for monitoring the contract. If the contract budget overspends, this is either met from reserves, or additional funding is sought from CWH's contracts board. Most contracts are let to local builders who can provide the range of trades required to deliver the service. One medium sized builder now provides repairs services for 4 TMOs.

Some TMOs have also taken on responsibility for cyclical decorations contracts and where appropriate, they appoint their own Building Surveyor, Quantity Surveyor and Clerk of Works for the duration of the contract. CityWest's major works surveyor provides guidance on their appointment. They may also advise TMOs about economy of operations, for example, if 2 nearby TMOs are due to undergo cyclical decorations on their estates a joint tendering process would be recommended, or they may also decide to piggyback a CityWest project.

In regard to leaseholder consultation, the responsibility for this lies with CWH. The resident involvement team and the TMO surveyor draw up a consultation plan, and any queries regarding estimates and billing is directed to CWH's leasehold team.

9. Staff response

7 permanent staff were interviewed with the aim of:

- 1) Gauging their understanding of the current arrangements with the Lancaster West EMB,
- 2) Seeking their views about the EMB taking on more direct responsibility for local services and employment of staff.

(It was not possible to interview 3 permanent staff who were on leave)

- 1) All staff generally had a good understanding of the 3 way relationship between the Council, the TMO and the EMB, although some believed that this had not been made clear to them when they first started working at Lancaster West.
- 2) The staff were evenly divided in to those who were very positive about the EMB's aspirations and those who were rather concerned about its implications. There was also one staff member who welcomed the idea but had some reservations about the EMB's capacity, competence and capability in meeting these challenges.

Those who supported the proposal

This group welcomed the EMB taking on greater responsibility for the following reasons:

- the arrangement would be simpler and they would be accountable to one employer who was based on the estate, rather than currently being answerable to two
- the current arrangement was confusing as the manager often had to go to the TMO to make decisions
- the EMB did a good job and it has been established for long enough to have the necessary experience to bring about improvements
- the EMB had been the template for setting up the borough-wide TMO as it had been established 3 years earlier and had already been successful
- their terms and conditions would be safeguarded and the governance arrangements and codes of conduct would protect the staff even if the membership of the Board changed
- they would be better informed if the EMB were managing the estate, and they would know more about cyclical maintenance programmes and other works as decisions about these would be taken locally
- the EMB would be more receptive to the training needs of staff as they would be closer to them
- it would make services more accountable and democratic

Those who had concerns

This group expressed clear reservations about the Board's ability to take on a more challenging role due to the following:

- the Board does not have the necessary experience to manage the staff and the office
- only 2-3 Board members have the necessary ability, and if they left the Board would not be sustainable
- the Board may not have the capacity to take on these extra responsibilities and there may be an expectation for the staff to do more as a result
- staff may not enjoy the same protection that currently exists with the TMO and staff could therefore be more exposed to the demands of individual Board members
- the EMB do not keep the staff well informed now, this situation could potentially deteriorate if the EMB becomes more autonomous
- uncertainty exists about what would happen if the EMB failed
- if staff were dissatisfied with a management decision they were concerned as to whom they could complain if they're independent from the TMO

10. Stock investment profile (likely to be included in financial appraisal)

Still awaiting details

Appendix 1

Lancaster West EMB Management Agreement

SCHEDULE 1A

Appointment of BWTMO under Chapter 1, Clause 6.3

Description of functions carried out by the BWTMO on behalf of the EMB to discharge the EMB's obligations to the Council under this MMA and description of functions carried out by BWTMO on behalf of the Council to discharge the Council's obligations under this MMA.

KEY: responsibility = •

Clause in MMA	Function	Responsibility			
			Council to BWTMO	EMB to BWTMO	
Chapter 1	General Provisions				
Ch1. c9	Confidentiality			•	
Ch1. c10	Equal Opportunities			•	
Ch1. c11	Training			•	
Ch1. c12	Information			•	
Ch1. c14	Right to Represent			•	
Ch1. c17	Tenant consultation re decision to continue with the agreement			•	
Chapter 2	Repairs & Maintenance				
Ch2. c1.2.3	Repairs and Planned Maintenance			•	
Ch2. c4.5	Initiation of Major Works		•		
Ch2. c4.3	Major Works Consultation			•	
Ch2. c6	Undertaking of Major Works		•		
Ch2. c10	Provision of Estate Services			•	
Ch2. c11	Right to Improve			•	
Ch2. c12	Right to Repair			•	
Chapter 3	Rent & Service Charges				
Ch3. c1	Confidentiality and Procedures			•	
Ch3. c2	Rent Collection			•	
Ch3. c3	Rent Arrears Control			•	

Ch3. c5	Former Tenant Arrears			•	
Ch3. c8	Notification of Rent Changes		•		
Ch3. c9	Payment of Rents			•	
Ch3. c11	Bad Debts / Write-offs			•	
Chapter 4	Leaseholder and Freeholder Service Charges			•	
Ch4. c1	Confidentiality and Procedures			•	
Ch4. c2	Information			•	
Ch4. c3	Calculation and Sending Demands			•	
Ch4. c4.5	Ground Rents and arrears. Service charge arrears			•	
Ch4 c6 .7,8	Consultation on service charges. billing collection and arrears			•	
Chapter 5	Financial Management				
Ch5. c2	Receipt of Allowances			•	
Ch5. c5	Financial Control and Accounting Standards			•	
Ch5. c8	Reserve Funds				
Ch5. c9	Major Works Account			•	
Ch5. c10	Financial Reports			•	
Ch5. c15	Contracts			•	
Chapter 6	Tenancy Management				
Ch6. c3	Selection of Tenants				
Ch6. c4	Transfers				
Ch6. c7	Breaches of Tenancy				
Ch6. c8	Anti-Social Behaviour				
Ch6 c9	Residents Disputes				
Ch6. c10	Unlawful Occupation			•	
Ch6. c11	Void Dwellings			•	
Ch6. c12	Right to Exchange			•	
Ch6 . c13	Right to Assign			•	
Ch6. c 14	Apps to Sublet			•	
Ch6. c15	Right to Succession			•	
Ch6 c16	Giving Consents			•	
Ch6 c18	Right to Buy (pre-contract enquiries)			•	
Ch6. c20	Tenants Compact			•	
Ch6. c21	Recognition of Tenants Association			•	
Chapter 7	Staffing and Management of Relationship				
Ch7. c2	Employment of Staff			•	
Ch7. c4	Employment of Contractors			•	

Ch7. c15,16	Statutory /Non Statutory Consultation			•	
Ch7. c17	Complaints			•	
Chapter 8	Performance, Monitoring and Reviewing of Standards			•	
Ch8. c4	EMB Performance Report				

Appendix 2

Volume 2 Chapter 1 General Provisions of the Agreement

SCHEDULE 1A

Description of functions carried out by the BWTMO on behalf of the EMB to discharge the EMB's obligations to the Council under the EMB MMA and description of functions carried out by the BWTMO on behalf of the Council to discharge the Council's obligations under the EMB MMA.

KEY: responsibility = •

Clause in EMB MMA	Function	Responsibility			
				BWTMO	
Chapter 1	General Provisions				
Ch1, c9	Confidentiality			•	
Ch1, c10	Equal Opportunities			•	
Ch1, c11	Training			•	
Ch1, c12	Information			•	
Ch1, c14	Right to Represent			•	

Chapter 2	Repairs & Maintenance				
Ch2, c1,2,3	Repairs and Planned Maintenance			•	
Ch2, c4,5	Initiation of Major Works			•	
Ch2, c6	Undertaking of Major Works			•	
Ch2, c8	Replacement Responsibilities			•	
Ch2, c9	Insurance Repairs			•	
Ch2, c10	Provision of Estate Services			•	
Ch2, c11	Right to Improve			•	
Ch2, c12	Right to Repair			•	
Chapter 3	Rent & Service Charges				
Ch3, c1	Confidentiality and Procedures			•	
Ch3, c2	Rent Collection			•	
Ch3, c3	Rent Arrears Control			•	
Ch3, c5	Former Tenant Arrears			•	
Ch3, c8	Notification of Rent Changes		•		
Ch3, c9	Payment of Rents			•	
Ch3, c11	Bad Debts/Write-offs			•	

Volume 2 Chapter 1
General Provisions of the Agreement

Chapter 4	Leaseholder and Freeholder Service Charges			•	
Ch4, c1	Confidentiality and Procedures			•	
Ch4, c2	Information			•	
Ch4, c3	Calculation and Sending Demands			•	
Ch4, c4,5	Ground Rents and arrears, Service charge arrears.			•	
Ch4 c6 ,7,8	Consultation on service charges, billing collection and arrears			•	
Chapter 5	Financial Management				
Ch5, c4	Banking Arrangements			•	
Ch5, c5	Financial Control and Accounting Standards			•	
Ch5, c8	Reserve Funds			•	
Ch5, c9	Major Works Account			•	
Ch5, c10	Financial Reports			•	
Ch5, c15	Contracts			•	
Chapter 6	Tenancy Management				
Ch6, c3	Selection of Tenants			•	
Ch6, c4	Transfers			•	
Ch6, c5	Introductory Tenancy			•	
Ch6, c7	Breaches of Tenancy			•	
Ch6, c8	Anti-Social Behaviour			•	
Ch6 c9	Residents Disputes			•	
Ch6, c10	Unlawful Occupation			•	
Ch6, c11	Void Dwellings			•	
Ch6, c12	Right to Exchange			•	
Ch6 , c13	Right to Assign			•	
Ch6, c 14	Apps to Sublet			•	
Ch6, c15	Right to Succession			•	
Ch6 c16	Giving Consents			•	
Ch6 c18	Right to Buy (pre-contract enquiries)			•	
Chapter 7	Staffing and Management of Relationship				
Ch7, c2	Employment of Staff			•	
Ch7, c4	Employment of Contractors			•	
Ch7, c15,16	Statutory/Non Statutory Consultation			•	
Ch7, c17	Complaints			•	

Volume 2 Chapter 1
General Provisions of the Agreement

Chapter 8	Performance, Monitoring and Reviewing of Standards				
Ch8, c4	EMB Performance Report			•	

Appendix 3

Examples of good practice

CityWest Homes has 14 TMOs set up whose management portfolio ranges from 63 to 876 properties. It has a comprehensive monitoring system in place to ensure that the TMOs meet their obligations in the following areas.

Governance, which includes TMO Committee Structure, Policy, Decision Making, Finance and Business Planning, VAT registration and records and administration.

Service delivery such as tenant involvement, allocations, maintenance, cyclical decorations and associated works

Corporate responsibilities including health and safety, equal opportunities and employment.

City West's monitoring plan sets out which teams, are responsible for carrying out these tasks, for example Residents Involvement, the Complaints team and Health and Safety. All of these services are provided by the ALMO. The frequency of monitoring is also outlined in the plan whether it is monthly, quarterly, annually or by exception, or if it is a requirement at an Annual General Meeting or General Meeting of the TMO

By having this checklist in place, it is immediately transparent as to what the respective responsibilities of all the parties to the agreement are.

It also has nominated officers to handle any complaints from tenants who are not satisfied with the TMO's performance in the following areas

Response repairs- Building Services Manager

Major works- Major works surveyor

Housing management – the Resident Involvement Manager

This ensures that there is a clear and consistent approach is taken in dealing with any dissatisfaction with the service.

Walsall have a similar health check on TMOs which reviews performance on an annual basis, which is broken down in to:

Housing Management information on performance indicators, such as rent collection, rent arrears, empty properties, responsive repairs and estate cleaning.

Financial Information on the number of management staff, management staff pay costs, M and M allowances, routine repair costs and the total surplus fund

Governance/Organisational Information covering membership levels, no of general meetings, no of quorate meetings, management committee meetings, quorate management committee meetings, number of committee members, management committee training and spend on training.

**Appendix 4 Comparable staffing costs of Lancaster West EMB and
TMO**

Text Post	Job Title	Name	Cost in Budget 08-09	% for comparison	TMO Cost
	Head of R&C Services		52,221	50%	26,110.00
	Customer Services Coordinator		32,289	100%	32,289.00
	Customer Services Coordinator		41,239	100%	41,239.00
	Customer Services Advisor		31,264	100%	31,264.00
	Customer Services Advisor		21,979	100%	21,979.00
	Customer Services Advisor		26,566	100%	26,566.00
	Customer Services Advisor		30,387	100%	30,387.00
	Customer Services Advisor		25,829	100%	25,829.00
	Customer Services Advisor		24,055	100%	24,055.00
	Customer Services Advisor		26,566	100%	26,566.00
	Customer Services Advisor		26,617	100%	26,617.00
	Customer Services Advisor		26,664	100%	26,664.00
	Customer Services Advisor		27,108	100%	27,108.00
	Customer Services Advisor		28,121	100%	28,121.00
	Customer Services Advisor		29,454	100%	29,454.00
	Customer Services Advisor		16,596	100%	16,596.00
	Customer Services Advisor		27,559	100%	27,559.00
	CSC Trainee		26,224	100%	26,224.00
			520,738		494,627
	Head of N'hood Mgt (North)		56,718	100%	56,718.00
	Area Housing Manager		54,265	100%	54,265.00
	Area Housing Manager		44,430	100%	44,430.00
	Housing Officer		42,264	100%	42,264.00
	Housing Officer		33,336	100%	33,336.00
	Housing Officer		36,018	100%	36,018.00
	Housing Officer		38,120	100%	38,120.00
	Housing Officer		42,218	100%	42,218.00
	Housing Officer		41,239	100%	41,239.00
	Graduate Trainee		23,571	100%	23,571.00
	Team Support		26,224	100%	26,224.00
	Estate Supervisor		34,806	100%	34,806.00
	Estate Supervisor		35,988	100%	35,988.00
	Caretaker		27,159	100%	27,159.00
	Caretaker		25,795	100%	25,795.00
	Caretaker		31,035	100%	31,035.00
	Caretaker		28,246	100%	28,246.00
	Caretaker		26,807	100%	26,807.00
	Caretaker		26,224	100%	26,224.00
	Caretaker		28,066	100%	28,066.00
	Caretaker		26,807	100%	26,807.00
	Caretaker		25,795	100%	25,795.00
	Caretaker		25,795	100%	25,795.00
	Caretaker		25,795	100%	25,795.00
			806,720		806,721
	Voids Officer		29,431	100%	29,431.00
	Head of N'hood Mgt (Sorth)		60,840	100%	60,840.00

Area Housing Manager	52,242	100%	52,242.00
Area Housing Manager (Job Share)	26,833	100%	26,833.00
Area Housing Manager (Job Share)	25,254	100%	25,254.00
Housing Officer	40,796	100%	40,796.00
Housing Officer (18 Hours)	21,379	100%	21,379.00
Housing Officer (18 Hours)	18,823	100%	18,823.00
Housing Officer	42,264	100%	42,264.00
Housing Officer	38,132	100%	38,132.00
Graduate Trainee	26,224	100%	26,224.00
Team Support	26,224	100%	26,224.00
Estate Supervisor	34,772	100%	34,772.00
Neighbourhood Supervisor	36,598	100%	36,598.00
Caretaker	25,795	100%	25,795.00
Estate Porter	31,481	100%	31,481.00
Estate Porter	31,035	100%	31,035.00
Estate Porter	30,791	100%	30,791.00
Caretaker	26,853	100%	26,853.00
Caretaker	32,139	100%	32,139.00
Caretaker	28,446	100%	28,446.00
Caretaker	28,625	100%	28,625.00
Caretaker	25,795	100%	25,795.00

711,341

711,341

5,897.84

4,142.84

6,011.72

6,323.20

6,599.32

8,560.24

9,470.76

6,487.52

6,475.04

5,607.16

4,940.00

5,565.56

6,195.80

5,192.72

**Cost of Services Tenancies
TMO**

87,469.72

**Total Housing Management
Cost TMO**

2,129,589.72

Number of TMO Properties

8600

Average Cost per TMO property

247.63

Area Manager

59,530

Estate Officer	33,383
Estate Officer	42,264
Area Administration Officer	42,218
Administration Assistant	26,853
Administration Assistant	29,801
Estate Superintendent	33,223
Estate Inspector	21,765
Estate Inspector	24,321
Receptionist/Concierge	25,795
Handy Man	24,321

Total Salaries Cost EMB

363,473

4,480.84

6,198.40

6,257.68

**Total Service Tenancy Cost
EMB**

16,936.92

**Cost of EMB Housing
Management**

380,410.16

Number of EMB Properties

900

**Average Cost per EMB
Property**

422.68

Appendix 5

Varying the agreement

The agreement, which the EMB has with the Council, can be varied in a number of ways. Where the EMB wants to take on additional functions, clause 18(a) of chapter 1 of volume 1 of the agreement, states that it would need to:

i) obtain certification by an Approved Person* that, in relation to additional management functions that the EMB wishes to exercise which are included as options in the Modular Management Agreement, the EMB has the required level of competence; and

ii) then giving the Council at least six months written notice, or such other period as may be agreed, that it has decided by a simple majority vote at a general meeting to take on those management functions, in which case this Agreement will be varied by adopting the appropriate clauses of the MMA.

* An Approved Person is a person approved by the Secretary of State under the Right to manage regulations , to confirm the competence of the EMB to take on the range of management functions chosen.

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TENANT MANAGEMENT ORGANISATION**

TMO Board

Meeting held on 10 July 2008

7. Lancaster West position statement

The relationship between the Council, Lancaster West EMB and the TMO for the provision of services on Lancaster West Estate was not satisfactory for any of the three parties. The EMB also wanted to be more independent from the TMO. The report explained the background to the three-way relationship; how the EMB had had set up; and the consequences of greater autonomy for the EMB. In the short term there were significant problems with the staff arrangements which needed to be addressed.

The EMB had been set up two/three years before the TMO, and their management agreement was with the Council. The TMO provided the services through service level agreements, and also seconded staff to the EMB. There was currently some concerns about managerial responsibility, including responsibility for poor performance. All services were provided by the TMO apart from the handyman service and the pest control contract, and were listed in para 2.2. of Appendix 1, the Position Statement. The service level agreements were listed in para 2.4.

The EMB was the Council's client, but contact had been limited, with little direct intervention. The performance standards in the management agreement were set out in para 4.1. Performance was due to be reviewed twice yearly, and also annually, with five year and special reviews. Para 5 outlined the process for any variation to the management agreement where the EMB wanted to take over additional management functions. It was also possible for the EMB to serve a Right to Manage notice. However, this could take 3 – 4 years to process.

Para 6 gave a financial appraisal of the consequences of the EMB taking over more of the management functions, as there was potential for more expensive services if they were provided on a smaller scale. The EMB also wanted to appoint its own staff, which would mean TUPE arrangements for staff based at the EMB. Procurement of EMB contracts would also require specific skills for technical contracts.

There was a need for investment on the estate, in particular the central plant for heating and hot water. However, with the current limited capital position, it was not possible to carry out these works. The EMB felt that there had been under-investment on the estate, and this was being looked at. The EMB had also asked for a separate stock options' appraisal for the estate, which after

discussion with the Council, was now not necessary. The staff had been consulted on their views on TUPE with a mixed response.

It was proposed that the Board consider the TMO's interests in light of how the situation developed. In summary, the present position did not suit any of the three parties as the relationship was very confused. The CityWest model was outlined, which could be applied elsewhere. It would also mean that the Council would have to develop their clienting role.

The Board were not asked to take a view at present on the way forward, but to make comments. It was queried where the impetus for change was coming from within the EMB i.e. taking on direct responsibility for staff and major contracts was a major step after delegation of these matters to the TMO. It was asked how these enhanced responsibilities would be managed by the TMO. However, the Council would have to take a position on these matters, as the EMB's relationship was with the Council. The TMO would only be involved at the Council's request.

Concern was expressed about the EMB taking on responsibility for staffing because of the practicalities involved. If a Right to Manage notice was served, they would have to demonstrate that they had the capability to do this. It was feasible as shown by the large number of small TMOs already in existence. The main area of concern for both the TMO and EMB was that the provision of services would be more expensive. Confirmation was given that if the new arrangements did not work out, it would be up to the Council to decide the way forward. The TMO would step in if required to do so by the Council.

There was concern about the EMB serving a Right to Manage notice as the TMO would not have any influence on that process, and the Council may prefer to hand responsibility for clienting back to the TMO. The Board's concern about being involved in any discussions on the way forward was recognised, and for there to be a clear decision on the arrangements.

A further report would come to the next meeting on the problems in the short term, and progress on discussions with the Council and the EMB. **The Board noted the contents of the report for information.**

Lancaster west Estate Management Board Emergency Meeting – 03 rd July 2008.

Lancaster West Estate Back Office

In Attendance:

Mr. Keith Miles (KM) (Board Chairman)
Mrs Miles
Ms Roslyn Sylvester
Geraldine Lord
Ivis Wong

Agenda:

Antisocial Behaviour of [REDACTED]

Appointment of Mr Damian Donnelly to be employed by the(EMB) Board as Chief Executive of Lancaster West Estate Management Board.

Reading of Minutes:

Minutes from the board meeting of 24 June 2008 was read by the Chairman of the board and agreed by all members present.

Board Members Decision:

Code of Conduct Procedure:

The Board Members decided that a copy of the Code of Conduct chapters 1 to 5 must be sent to all Board Members immediately.

Appointment of Damian Donnelly:

The employment procedure between Lancaster West Estate Management Board and the Tenancy Management Board was read by Mr. Keith Miles Chairman of the Board of the present employment of Mr. Damian Donnelly.

After a brief discussion of the plans of the Lancaster West Management Board the board members voted unanimously to appoint Mr. Damian Donnelly as Chief Executive of the Lancaster West Estate management Board.

Minutes taken by Enid Bailey

Enid Bailey
03/07/2008

**EXTRAORDINARY EMB BOARD MEETING FOR 3RD JULY 2008
AT 7PM IN THE EMB ROOMS**

SUBJECT FOR DISCUSSION:

[REDACTED]

CODE OF CONTACT BY EMB

BOARD MEMBERS.

FOR DECISION

1.

2.

3.

4.

5.

6.

[REDACTED]

Keith Miles
EMB Chair

Lancaster West EMB - Board Meeting – 24 June 2008

EMB Club Rooms

MINUTES

In Attendance

Keith Miles (KM) (Chair)
Robert Bryans (RB)
Dr Evan Arkas (DA)
Roslyn Sylvester (RS)
Geraldine Lord (GL)
Dougal Steward (DS)
Ivis Wong

Also

Kay Brokenshire, RBKC Youth Services Manager (KB)
Tom Hill, RBKC/Rugby Portobello Youth Services Worker (TH)
Dee Dainton, Grenfell Tower Creche Manager (DD2)

Officers in Attendance

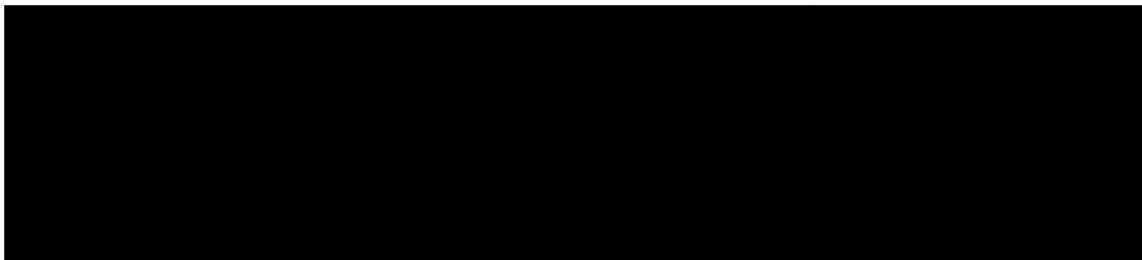
Damian Donnelly, Area Manager, Lancaster West Estate (DD)
Alan Hunter, Estate Officer, Lancaster West Estate (AH) (Minutes)

Apologies

C'lr Blakeman
C'lr Hanham
C'lr Palmer
Teresa Miles

Pre-Meeting

All discussed meeting next Tuesday 01/07/08. Agreed to discuss DD's replacement.



DD – In response RB's enquiries DD confirmed that a Council consultant has been appointed to work alongside the TMO CEO on a review of the constitutional arrangements pertaining to the TMO Management Agreement, which may involve a six month timetable. The day to day operational management arrangements of the TMO remain unchanged.

DD – The tripartite arrangements remain in place.

Minutes of Previous Meeting

RS – In previous Minutes they should read RS and GL but the initials were mixed up.

Pages 1-4 agreed.

Matters Arising

None

1. New Youth Outreach Team

KB – Introduced Tom Hill. Explained they are aiming to assist Lancaster West by setting up a youth service on the estate. Tom and other staff are ready to begin the process. There are issues over use of the building and the type of service provided which have yet to be resolved.

TH – The service will provide an outreach service on Lancaster West and Henry Dickens. He will be responsible for setting up the service on LW and has set up two services previously for other boroughs. He said they are going to need financial support from the TMO but is unsure at this stage how much will be needed.

TH distributed the survey results to the Board and said that there had been a positive response from the respondents. Also, introduced the Summer 2008 Holiday Activities Programme.

DA – Asked what money will be required and who else will be financing this.

KB – Previously the EMB contributed 15k per annum and also they would need premises. She stated that previously they used both offices next to the Club Rooms as an office and a meeting room, and they would like the same again.

RB – Space and budgets at LW are at a premium.

KM – The original agreement was with Kier to vacate and leave offices decorated and ready for use.

KB - Not being able to access the offices yet is the key issue for them as previously the keys have not worked.

DD – Said there is now a complete set of keys available.

GL – Requested a timetable for the Club Rooms so that the youth services team can see availability.

KM – Offered support from the EMB management committee.

RS – Suggested sending copies of the Summer timetable to all residents and on notice boards.

KB – Highlighted the need to attract girls in particular. Also said they may need new furniture and other items.

RB – Emphasised the cash constraints the EMB are currently under.

DD – Suggested joint funding bids.

KB – Partnership working is currently in vogue so she agrees.

2. EMB Budget Report

See Report

DD – A separate budget is required for office cleaning as Phil McWalter has confirmed that the central cleaning budget is for residential properties and estate communal areas only.

Debate over the OCS budget and how to renegotiate the contract. The sticking point was that there is no allocated budget for EMB office and community rooms cleaning.

DD – A more accurate picture of the repairs budget will be available by the next meeting.

3. Exercising an Expansion of Management Responsibilities under Right to Manage Legislation

DD – EMB negotiating team has met with RBKC to discuss this matter. Linked to this is the EMB request to extend their management agreement remit.

Debate over TUPE arrangements, pending the TMO's consultant's report.

Discussion over the feasibility of outsourcing central support services functions currently provided through the TMO.

RB – Queried the timetable in DD's report and said that the Council feel it could take considerably less than 2 years.

DD – 2 years is a typical timescale based on the experience of other EMB's due to the stages involved and the level of consultation, briefing, training etc.

Discussion over what the EMB currently manages – Rentokil and concierge are only contracts procured and managed directly locally. Local services are provided locally e.g. responsive repairs but the contracts are procured and managed by the TMO.

Board approved the Report. A meeting to be arranged with Council Officers and EMB representatives to progress further.

4. EMB Quarterly Performance Management Report

See Report

DD – The EMB is now performing best in the Borough for rent arrears and is within the top quartile in London for the first time. This is bearing in mind that LW is disadvantaged by the burden of high heating and hot water charges.

RB – Queried the new metering system of the new central boiler house. He said it has not been serviced in the last 2 years. RB queried whether the energy supplier was responsible for implementing a meter or if it was the TMO.

ACTION – DD to request a response from the energy supplier before the next meeting regarding the meter supply and the dereliction of duty by the supplier in failing to replace defective meter within a reasonable of time.

RB – Disputed the validity of the Urgent Repairs figures, as they are from the TMO and many repairs are not completed first time, amongst other reasons.

ACTION – DD will write Andrea Johnson, Head of Customer Service Centre, a letter requesting that the EMB is more closely involved in the process of producing the figures.

5. Report on the Expansion of the Handyman Scheme – Van

See Report

DD – Introduced the report and requested the Board's approval to purchase a new van drawing down from the EMB Reserve.

Board approved purchase of Handyman van from Dagenham Motors at best quote and agreed price and specification as provided in the report.

6. Stock Options - Additional Papers

RB – Council have ultimate control of stock options decisions. The EMB will only be admitted at the final stage.

General discussion on this subject followed.

Board agreed Stock Options were Council responsibility but that EMB Board would participate in any working groups the Council may extend an invite to.

7. Carnival Bank Holiday Local Security Arrangements

The Board was asked to approve the cost of local Carnival Security arrangements.

DS asked for the Estate to be cleaned up as soon as possible after the Carnival.

Board approved additional expenditure items associated with local security arrangements including cost of refreshments for local volunteer control centre team.

NEXT MEETING DATE – 29th July 2008

Code of Conduct Procedure:

The Board Members decided that a further copy of the Code of Conduct chapters 1 to 5 must be sent to all Board Members immediately.

Appointment of Damian Donnelly:

The employment procedure between Lancaster West Estate Management Board and the Kensington & Chelsea Tenant Management Organisation was read by Mr. Keith Miles Chairman of the Board relating to the present employment of Mr. Damian Donnelly.

After a discussion of the plans of the Lancaster West Management Board the board members voted unanimously to appoint Mr. Damian Donnelly as Director/CEO of the Lancaster West Estate Management Board subject to Council approval and acceptance of the post by Mr Donnelly.

Minutes taken by Enid Bailey

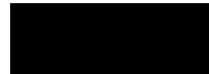
Enid Bailey
03/07/2008



LANCASTER WEST ESTATE MANAGEMENT BOARD

ESTATE OFFICE GRENELL TOWER LONDON W11 1TQ

All EMB Board Members



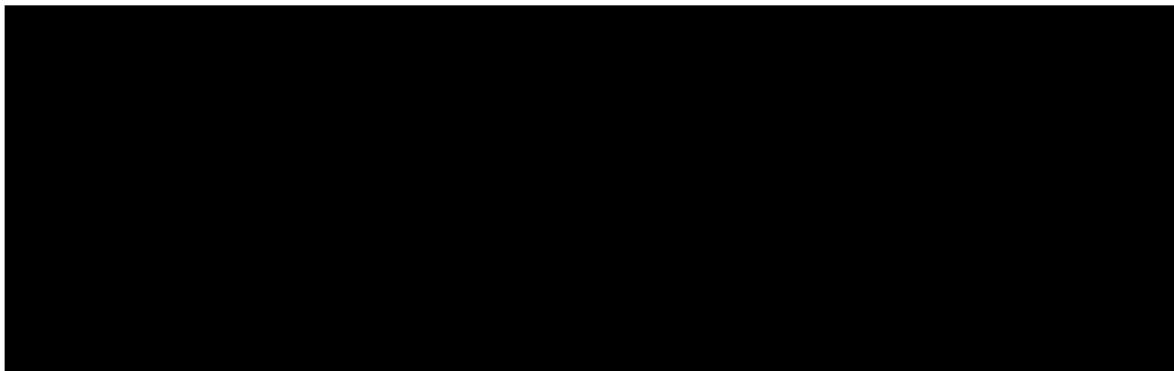
22nd May 2008

Our Reference

Your Reference

Please Contact
Damian Donnelly

Dear colleague,

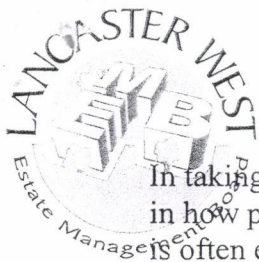


Along with my Line Manager in Kensington & Chelsea TMO, Sheila Belgrave, we will be developing an "exit plan" that will include working with the Board to help identify a suitable replacement for the post. Depending on the timeframe of the recruitment period I may be in a position to brief and formally handover to the new incumbent.

One of the issues in the past associated with the position has been the degree of autonomy the postholder can exercise in the pursuit of achieving EMB aspirations and developing the potential of excellent local service delivery models. Discussions have sometimes focused on the fact that there is no Management Agreement between the TMO and the EMB and that the TMO and EMB (through Lancaster West Management Association) are in fact two separate companies and managing agents of the Council.

Issues and competitive tensions therefore sometimes arise which in turn suggest conflicts of interest not easily reconciled without at the expense of one over the other. Situated within this context the role of the EMB Lead Officer is somewhat compromised by the fact that his or her employment is with another organisation or company.

Having worked with the EMB for nine years and having spoken to the previous postholder I do feel that the rather complex set of management arrangements do sometimes serve to heighten the degree of pressure and stress on the individual located between the proverbial rock and hard place.



LANCASTER WEST ESTATE MANAGEMENT BOARD

ESTATE OFFICE GRENFELL TOWER LONDON W11 1TQ

In taking stock of my experience here I have noted that there tends to be fluctuations in how progress or evolution takes place in regard to improving such matters. Sadly it is often external drivers such as Government Inspections which bring about necessary governance and management arrangement improvements such as the introduction of SLA's, Management Agreement reviews actually taking place etc.

With the EMB Board's endorsement of the April Board Stock Options Review paper and in June the review of management arrangements for LWMA the opportunity presents itself for a radical departure from the previous stymieing status quo, markedly highlighted in the EMB's symbiotic, though not always mutually beneficial, relationship with the TMO.

In turn this should pave the way for a more modern, efficient and effective models of service delivery that may bring greater satisfaction levels, value for money and community empowerment.

In initial considerations of the Stock Options question the EMB has indicated a desire to adopt a broader approach to include the development of social enterprise with individual refurbishment or redevelopment plans for existing community facilities such as the Grenfell crèche, Illys Booker Playgroup as well as EMB Clubrooms, North Kensington Tenant Resource Centre and vacant podium area located in Grenfell Tower.

This may draw the charge of putting the horse before the cart but it clearly demonstrates the EMB wish to oversee the appointment of their own Independent Tenant Adviser (ITA). In particular someone with direct experience and credibility in this area with whom they can develop a positive and trusting relationship to work with and explore options with due dimensionality and community involvement and empowerment.

The development of the EMB's 5-Year Business Plan offers the platform on which to develop and coherently integrate the various strands and objectives that will reflect the company's strategy and mission.

Although a current first draft has now been produced the Board will need to schedule a series of workshops to develop and flesh out the objectives using quality management tools to assist in the task and discussions.

Inevitably linked to the success of the Business Plan objectives are of course the outcomes associated with the issues set out in the two Board papers cited above. Obviously it is must too early to predict the outcome of either reviews or what action may be implemented to see through the objectives. However, it may be possible at an early stage to detect the level of commitment and goodwill extended by the interested parties to achieving fulfilment of the EMB's objectives and aspirations. The paramount key concern will be ensuring that sufficient levels of funding will ultimately be available (both revenue and capital) to achieve successful transformation.

LANCASTER WEST E.M.B.

AGENDA

24th June 2008

Those Present

Welcome to new members

Apologies

Minutes of Previous Meeting April 2008

Matters Arising

- | | |
|--|--------|
| 1. New Youth Outreach Team | 7.05pm |
| 2. Monthly EMB Budget Report | 7.25pm |
| 3. Exercising an Expansion of Managerial Responsibilities Under
Right To Manage Legislation | 7.45pm |
| 4. EMB Quarterly Performance Management Report | 8.25pm |
| 5. Report Expansion Of Handyman Scheme –Van | 8.35pm |
| 6. Stock Options-Additional Papers | 8.45pm |
| 7. Carnival Bank Holiday Local Security Arrangements | 8.50pm |
| 8. AOB | 8.55pm |

All EMB Board Members

17th June 2008

Our Reference

Your Reference

Please Contact
Damian Donnelly

Dear colleague,

RE: LANCASTER WEST ESTATE MANAGEMENT BOARD MEETING

I am writing to advise you that the next meeting of the Lancaster West Estate Management Board will take place on Tuesday 24th June 2008 at the EMB Clubrooms at 7.00 pm.

I would be grateful if you could notify Enid Bailey in advance if you are unable to attend.

Thank you.



Damian Donnelly
Area Manager

Circulation List

Roslyn Sylvester
Teresa Miles
Pam Payne
Dr Evan Arkas
Dee Dainton
Ivis Wong
Keith Miles
Shiela Belgrave
Helen Evans
Vesna Mitic

C'llr Dr Iain Hanham
C'llr Mathew Palmer
Geraldine Lord
Christine Richer
Robert Bryans
Councillor Judith Blakeman
Jayne Woods
Liam Good
Sue Daniels
Dougal Steward

**LANCASTER WEST ESTATE MANAGEMENT BOARD
MEETING**

29TH APRIL 2008

EMB COMMUNITY ROOM

ATTENDANCE

Keith Miles (KM)
Dr Evan Arkas (DA)
Rosalind Lord (RL)
Teresa Miles (TM)
Robert Bryans (RB)
Dougal Stewards (DS)
Cll'r Dr Iain Hanham (DH)

OFFICER IN ATTENDANCE

Damian Donnelly, (DD) Area Manager
Sheila Belgrave, (SB) Director of Housing
Mary Shitta, (MS) Estate Officer

Apologies

Councillor Mathew Palmer
Ivis Wong
Pam Payne

Meeting began with chair welcoming members and declaring meeting open. Minutes of previous meeting tabled & discussed.

Matters Arising

DD had meeting with the youth worker Tom and discussed use of the community room as a temporary measure. Tom to meet EMB Board to discuss funding towards youth project.

(DD) advised the Board that Cll'r Iain Hanham, Cll'r Mathew Palmer and Judith Blake man has been appointed as co-optees with full voting right to represent EMB at AGM.

1.0 Nomination of New Committee

(RB) left the room for the vote to take place & was subsequently co-opted onto the Board

(KM) was voted as a new chair

(DS) as a new vice- chair

Treasurer

(RL) was appointed Treasurer

Secretary

(RB) as a new Secretary

(DA) advised the Board EMB to remove his name from company bank account authorised signatory list

2.0 Budgeting

DD informed the Board that the Management Expenses had incurred projected over expenditure due to maternity costs, use of covering agency staff, stationery costs and office cleaning which alone cost £3755.

RB suggested looking into the possibility of a virement for this item to the main cleaning contract.

DA advised to make the spreadsheet bolder.

Action –DD to look in to this further and report to the board.

3.0 Stock Options Report

DD presented the report on Stock options
Recommendations outlined in section 4.0 of the report.

SB advised the EMB the Council have appointed a consultant to conduct research on alternative options and the TMO are also conducting a pre- feasibility study.

Background Work to date had identified following options:

- Stock Retention
- Private Finance Initiative
- Estate Development
- Transfer of stock to a newly formed or the existing social housing organisation

SB advised that the EMB needs to be involved with the Stock Options Working Party
TMO has appointed its own consultant to work with it.

RB wanted the EMB to address other alternatives and stressed that there should be agreement on moving forward.

DA Consultant must report to both TMO and EMB.

RB Suggested that EMB should be able to run their own affairs

DD Opportunity exists to have EMB an adviser

EMB to elect representatives to join Working Group with the council and the TMO

Possibility that an Independent Tenant Adviser (ITA) could be appointed to work with board and advise on the best option for EMB to pursue.

EMB also wish to explore Social Enterprise opportunities for the benefit of the community.

DD stressed the need for an active board that can develop capacity and capability to manage and take the EMB forward to the next stage of evolution.

He noted that the EMB had a good record of management from 1993 and in particular their prudent and efficient finance record.

Public opinion would need to be tested on any proposals recommended in relation to Stock Options.

5.0 Board Recommendation

6.0 7 voted to appoint Independent Tenant Adviser (ITA)

DD Encourage EMB to join the negotiation table with Council.

7.0 EMB Sub Committee

7.1 Staffing and Cleaning

Dr Arkas, Teresa Miles, and Rosalind Sylvester

7.2 Repair

Keith Miles, Dr Arkas and Robert Bryans

7.3 TMO Committee Leaseholder

Dr Arkas

7.4 EMB Property Management Committee

Rosalind Sylvester

7.5 Carnival Committee

Rosalind Sylvester

7.6 TMO Board

Keith Miles

7.7 TCC Committee

Keith Miles

DD advised the Board that it is essential that members nominated attend these committee meetings on behalf of the EMB and that they report back to the Board on matters of interest to the Board.

8.0 Performances Reports

Majority of targets achieved by the local team

8.1 Training and Development

Board need to lobby clarify with the Council the provisions for providing training for the EMB Board. It is unclear who is responsible for providing and funding the training.

Training was needed on the provisions of the new Company Act, but there also needs to be a strong focus on Good Governance, Finance, Business Planning, Equality & Diversity and general Skills and Development Training for Board Members.

With a new gender balanced committee new skills need to be acquired to enable Board Members to deliberate on the more complex issues facing the EMB and to build up confidence within EMB Board generally.

TM Advised EMB that she is going to further her education possibly by taking up opportunity to study at Oxford Brookes.

DD informed her that the TMO Tenant Initiatives Team have budgetary allocation to enable Board members to pursue these types of educational opportunities and study for a housing related qualification.

9.0 AOB

9.1 No issues raised.

Agreed a correct record

Chair of the Board

The Lancaster West Management Association

LANCASTER WEST EMB –24th June 2008

REPORT BY AREA MANAGER

EXTENSION OF MANAGEMENT AGREEMENT

1.0 PURPOSE OF REPORT

- 1.1 This report advises the Board of the proposals for submission to the Council to enable the Council and the EMB to extend the current Management Agreement and explore ways in which the EMB could take on managerial responsibility for new areas of service provision and delivery.

FOR INFORMATION

2.0 SUMMARY

- 2.1 Given the potential significance of the EMB's commitment to undertake Stock Appraisal and Condition work it is timely to also consider making express decisions on extending the EMB's managerial remit.
- 2.2 Initial discussions between the EMB and Council had indicated that further work needs to be carried out to extend the Management Agreement and explore ways in which the EMB can take on the responsibility for new areas of service delivery to help address the forecast financial deficit, within the context of current retention of stock by the Council.
- 2.3 It is understood by both parties that as part of these negotiations the EMB would have adopt a two-stage approach to address its financial situation to the satisfaction of the Council and demonstrate the case for an improved model of service delivery for the services under consideration.

2.4 BACKGROUND

- 2.5 The background to the current position (linking EMB Stock Option and MA Extension reports) is that the Council has previously consulted tenants and leaseholders on stock investment options. Previously resident representatives have consistently rejected large scale voluntary transfer and as a consequence the Council developed a bid for an Arms Length Management Organisation. The ALMO eventually secured the £43 million extra funding in the second round of bidding after obtaining a favourable Audit Inspection result and demonstrated a clear strategic-operations split following the transfer of the Capital Programme Team from the Council to the ALMO.

- 2.6 Having met its stated mission of meeting the Decent Homes Target by 2008 the ALMO has now spent the £43million from the Government plus a considerable amount of Major Repairs Grant.
- 2.7 Following recent changes to Government funding resulting in a reduction of subsidy and grant in real terms (continued freeze in M&M allowance and significant fall in major Repairs allowance) the EMB is seeking to address both the issue of Stock Options and estate investment and improved financial management of services b in
- 2.8 Current indications are that the Housing Revenue Account (HRA) will fall into deficit unless a drastic action involving a possibility or combination of interventions such as rent increases, efficiency savings, service reduction, and additional income generation are brought to bear.
- 2.9 More generally the continued lack of transparency regarding the HRA Subsidy system, the proportion of tenants rents recycled back into local authority housing and the amount of revenue that is used by the Government to fund other, non-housing policy objectives remains a source of confusion and frustration for Councils and tenants.
- 2.10 In response the Council is looking for innovative ways to meet future management and maintenance costs. The overall aims and objectives will be to keep the HRA balanced, ensure long-term financial security and raise the cash to maintain the housing stock properly.
- 2.11 Arising out of a recent study "Housing in Kensington & Chelsea –Meeting the challenges" the options the Council has been looking at include:
 - Staying as we are –question of future capital investment left unanswered.
 - Lobbying the Government to change the rules on borrowing with a view to retention of stock
 - Stock transfer to housing association –Right to Manage not currently extended to RSL's.
 - PFI-an expensive, lengthy and complex process not suitable for large portfolio of stock.
 - Estates renewal/redevelopment-could enable EMB/TMO to continue to manage the stock but viability needs to be subject to SWOT analysis identifying constraints, opportunities, risks etc.

3.0 EMB PROPOSALS

- 3.1 The TMO have now started the second stage of Option Appraisals and have obtained approval and funding from the Council to appoint an Independent Tenant Adviser (ITA) to comprehensively explore the options and consult with residents.
- 3.2 Should the EMB Board approve the Stock Options report (Item 3) it will form a Steering Group and enter into negotiations with the Council to develop proposals to ensure that the homes on the estate are well maintained and in good condition.
- 3.3 Since 1993, as managing agent for the Council, the EMB has been instrumental in securing improvements to the estate and has been a catalyst for improvements to housing management.
- 3.4 As a short term objective (within the context of retention and possible long-term within the context of greater borrowing freedom the EMB wishes to work

with the Council to extend the current management Agreement and explore ways for the EMB to take on responsibility for new areas of service delivery and to address their immediate forecast financial deficit.

- 3.5 As part of these negotiations the EMB could commission an independent consultant to conduct a root and branch review of current services delivery including a cost benefit evaluation of SLA delivered services and produce options for increasing the range of locally delivered services linked to establishing a model of best practice for local service delivery.
- 3.6 An Independent consultant or “approved person” could assist both the Council and the EMB to explore the options for greater community involvement and empowerment through the exercise of greater control over the services delivered, managed and procured locally.
- 3.7 The Board may wish to accelerate the process by considering only those options available or appropriate for the Lancaster West Estate. This might involve options not covered in the wider Stock Options discussions between the Council and the TMO.
- 3.7 In order to achieve the objective of expanding the range of services and activities managed locally the EMB will require Council support for the initiative which could include such services as Cleaning & Horticulture, Responsive & Planned maintenance, Capital works, HR & Finance, Policy & Corporate Communications, IT and possibly other Support Services.
- 3.8 In terms of taking such a strategy forward there are three stages that the consultant and EMB steering group could get involved in: These may be identified as follows:
 - **Pre-feasibility study**. This stage would be about estate promotion and usually takes about three months. The process would be about informing tenants of the intention to review existing service provision, procurement, management arrangements and staffing levels in order to gauge support for the possible expansion of managerial responsibilities. The process may involve home visits, open meetings, production of factsheets, FAQ’s for example.
 - **Feasibility Stage**. The process may take six months or longer if the Council accepts the EMB’s proposals to appoint a consultant or agency to take the Board through a proper feasibility study. The feasibility study will help look at all the options inc. castings, resource implications, etc. and assess the viability of greater local managerial control on the estate.
 - **Full feasibility study**. This would be the development stage which could last up to two years. Based on the required criteria if the agency or consultant feels that the EMB are competent and has the required level of support through a secret ballot or other means of demonstration then the final stage may be embarked upon.
 - **Final Stage**. This would involve training, deciding upon what new services the EMB will take over, drafting EMB policies, and procedures for the new services taken on, renegotiating the new Management Agreement and how

much the Council should pay the EMB for (a) employing its own staff (b) in terms of allocating new devolved budgets for the running of the new services.

3.9 At the end of the development training and negotiations the agency should submit a comprehensive report setting out whether the EMB is competent to manage the additional services. The Council may organise a final ballot to determine whether the EMB has the support of the membership and residents. If the ballot is successful the transfer of services and staff through TUPE as well the advertising for any new staff can commence.

FOR INFORMATION

CAPITAL PROGRAMME TEAM

UPDATE VARIOUS PROJECTS – LANCASTER WEST ESTATE

Taken from minutes dated 10th January 2008

1. Decent Homes roof works

- 1.1 Within the feasibility report it is confirmed that the roof at Camelford Walk was surveyed and recorded as having been recently replaced and in good condition. It is not included in the current project.
- 1.2 The tenders were returned on 7th April and are being analysed. This scheme is being procured using the new form of contract so this is taking longer than previously. The arithmetic check has been completed and queries resolved. The consultant is arranging a value engineering exercise with the preferred contractor to establish if there are any other products and/or working methods we can use when agreeing a target cost for the work.

Leasehold Services are on stand by to issue the stage 2 notices and the plan is to report to PMC in June linking in with your EMB meeting in the same month.

All things being equal I do not think the project will start on site until July at the earliest for completion in December 2008.

The capital programme team is also taking on the cyclical decorations 2008/09 contract from HW. There are a number of properties at Lancaster West due for painting this year. We have met with the consultants so all are aware that two contractors are likely to be on site at one time. We have discussed how we will co-ordinate this. We are also working on the appointment of a consultant for the external decorations and when appointed they will be made aware of the situation.

- 1.3 The roofing sample was received on 22/1/08 and put in the internal post for Dr Arkas c/o Damian.
- 1.4 It is our intention to discuss the site compound location and so on with you at the appropriate time. We will also arrange a meeting to introduce the successful contractor. We will also be asking for representatives to attend the site meeting

2. Camelford Court roof covering

- 2.3 The roof survey report has been received and this roof is now included in the current contract.

4. External repairs and decorations

- 4.1 This project is out to tender for return on 28th May. We are planning a September start for the contract but trying to improve on that date if we can. Until we have a contractor appointed I am unable to advise the start date for Lancaster West.

5 Balcony, window and concrete repairs

- 5.3 The report was received on 27/2/08. Two copies were sent to Damian in the internal post on 28th. This is currently with the Asset Management Team for advice on budget and a way forward. I am aware that it is being considered.

Vs 16/5/08

Our Ref: 9000433752

Mr S. L. Pimbert
Grenfell Tower
Lancaster Road
W11 1QU

7th May 2008

Dear Mr Pimbert

MPRN 51341803 meter serial number 3541 Faulty meter.

Following correspondence from Energy Watch we have investigated the issue raised and can report the following information

26th April 2007 : NGM received a Faulty Meter request from your Gas Supplier British Gas explaining that the meter was not registering. An engineer attended site within four hours and identified that the meter index was broken and that the meter weighed 2 tons.

Several visits were undertaken by various engineers to determine if the meter could be exchanged. However, it was jointly agreed with the site contact and BG that the existing index was removed and re-fitted.

12th February 2008: NGM received a second Faulty Meter work request from your Gas Supplier regarding the meter not registering correctly as well as no pulse being recorded

3rd March 2008: A metering engineer went to site and reported that the rotary meter at the site had been repaired and resealed. Arrangements had been made for the meter to be reconnected to the electronic equipment. The engineer also reported that during the site visit an unauthorised connection had been installed plus there was inadequate ventilation. One of the vents in the boiler room had been blocked, reducing the ventilation even further. General Guidance instructions on housing ventilation were issued to your Gas Supplier to discuss the matter with yourself.

16th April 2008: A further site visit was carried out and the engineer confirmed that the index failed to register. Therefore correspondence was sent to your Gas Supplier explaining that additional building structure surrounding the meter restricting access to the asset. Due to the weight of the existing meter and any new replacement, transporting the equipment in out of the site, would be difficult because current access was confined.

I have spoken today to Laura Horn at BG who has informed me that she has replayed NGM response onto yourself.

I trust that this information assists you rectify your dispute, if in the meantime you would like to contact me concerning this complaint, please telephone me on [REDACTED] quoting the above reference number.

History of the Broken Gas Meter at Grenfell Tower

Re Gas meter located in the boiler house at Grenfell Tower Meter Point Reference Number (MPRN) 51341803, meter number 3541

In March 2006, S Pimbert read the gas meter corrector as 0563164. In May 2006, SP read the gas meter again with the same reading of 0563164. Because the meter is not read every month this was the first indication that the meter was not working. Because the corrector is used for billing purposes the meter dial is not normally read and at this time it was not known whether it was the meter or the corrector that was broken. Subsequent investigation showed that it was the meter that was at fault as the meter register did not increment even though the meter passes gas.

In May 2006, SP informed our gas supply company who at that time were Scottish and Southern and they in turn contacted National Grid Metering, (responsible for meters). However, as we were in the process of changing our gas supply company to British Gas Business, Scottish and Southern did not progress the issue and British Gas inherited the problem. TMO?

On 1st August 2006 British Gas Business became our new gas supply company and they were informed in September about the problem.

British Gas again contacted National Grid Metering. But it took a further six months and much prompting before National Grid Metering visited the site. In July 2007 National Grid Metering said the problem was that the meter was very large and it was no longer in production. Consequently they were looking at the possibility of modifying another meter and exchanging this for the broken one. However in August 2007 they then decided that they could not change the meter and the fault lay with the register (i.e. the device that records the passage of gas). They took the register away for repair.

October 2007 National Grid Metering replaced the register (and installed a new corrector) and it appeared to work as the register reading was higher than when it was taken away for repair. However before the end of the month it had again failed with the same fault.

We again contacted British Gas on the 7th of November but by January 2008 National Grid Metering had still not fixed the meter or given any indication of when they were likely to. On the 29th of January 2008 at the request of British Gas SP again supplied details of the problem and British Gas said they would again contact National Grid Metering to get someone to visit the site and decide how to get the meter fixed. In the meantime we would continue to be charged through estimated readings.

Because British Gas did not appear to be able to resolve the problem on their own, on 31st of January 2008 SP sent a letter to Energywatch -the government sponsored organisation set up to resolve disputes between consumers and gas and electricity supply companies, asking for their help.

On 6th February, a reply was received from Energywatch who confirmed that they had contacted British Gas asking them to report what steps they were taking to resolve the problem. Subsequently, 3 more letters dated 25/2/08, 3/3/08 and 10/3/08 were received from Energywatch saying that British Gas had yet to respond.

In March 2008, SP spoke to British Gas Business who confirmed that they had replied to Energywatch pointing out that the problems were the fault of National Grid Metering and not British Gas.

15 April 2008 SP spoke to Energywatch asking what progress has been made. Energywatch confirmed that they had received a reply from British Gas which said that British Gas had made many appointments for National Grid Metering engineers to visit the site and that the fault lay with National Grid Metering as they were responsible for the meter. Energywatch agreed to write to National Grid Metering to find out what was happening. SP also spoke to British Gas who confirmed that they had made yet another request for National Grid Metering engineers to visit the site.

17 April 2008 letter received from Energywatch saying that they had written to National Grid Metering about the problem asking what was happening. The next day Energywatch phoned SP asking for further details as they had just received a phone call from National Grid Metering asking for particulars about the meter and its location. These were provided. Energywatch indicated that they would expect a response from National Grid Metering within 10 days.

Following Transco's visit to the site they reported back to British Gas that the meter was indeed broken but because of its size and difficulty of access they were unable to replace it unless the TMO knocked down a number of walls and provided access from street level to the boiler room. Although there is a trapdoor in the roof of the boiler room it is not clear whether it can be opened or if it is big enough to allow the meter to fit through. British Gas has been asked to forward a copy of the Transco report to the TMO for consideration but to date this has not yet been received.

An alternative to using National Grid Metering is to use another company to replace the meter although this may cost the TMO. The TMO is interested in installing an automatic meter reading system to the meter at Grenfell Tower once it is repaired. Not all meters are suitable for connection to an AMR system and in these cases the meter needs to be replaced. Imserve, the company who make the AMR equipment, work with Energy Assets who are licensed by National Grid Metering to install gas metres and often do so on behalf of National Grid Metering. Philip Bellin Lee of Energy Assets visited Grenfell Tower on the 21st of April to see what would be involved in removing the meter and replacing it.

Energy Assets claim that provided the meter is more than 10 years old (the one at Grenfell Tower is more than 25 years old) the cost of the meter is met by National Grid Metering although the company wanting the exchange may have to pay for the installation. It is estimated that the cost to exchange the meter at Grenfell Tower would

be approximately £7,000 excluding the costs to demolish and rebuild the wall of the meter room and the access hatch if it is not wide enough for the removal/replacement of the meter.

Energy Assets also claimed that the meter appeared to be oversized but detailed measurements would need to be undertaken preferably during the winter, to establish to what extent and whether a smaller meter could be installed. An alternative approach is for the TMO to purchase the meter installation from National Grid and then sell it to Energy Assets. Energy Assets could then exchange the meter and rent it back to the TMO. Because the price of gas charged by the gas supplier includes an allowance for metering charges the TMO should then be able to negotiate a lower unit price from British Gas to cover the rental.

Because Energy Assets have not been able to give any detailed costings the TMO are still pursuing other alternatives and are in the process of fixing up a meeting with Corona Energy a company that supplies gas as well as metering equipment to see what they can offer.

Gas consumption at Greenfield Tower

Year	Consumption (kwh)	Cost (£)	average cost p/kwh	Gas supply company	
1999/00	16290764	114659	0.703828255	Northern gas and electricity	
2000/01	17043046	125683	0.737444469	Northern gas and electricity	
2001/02	18302983	175280	0.957658104	Northern gas and electricity	
2002/03	15158635	153456	1.012333894	Scottish and Southern	
2003/04	15958657	153083	0.959247385	Scottish and Southern	
2004/05	14205630	162895	1.146693248	Scottish and Southern	
2005/06	15996610	261734	1.636184167	Scottish and Southern	
2006/07	876924	19633	2.238848521	British Gas	Broken gas
2007/08	387233	9126	2.356720631	British Gas	Broken gas

The average cost is the average cost of gas over the financial year from 1st April to 31st of March

But the gas supply contract runs from the first of August to the 31st July

The average cost therefore depends on how much of the consumption and is at the beginning of the year an

Sheet two shows the gas prices for Grenfell tower since 1995

LANCASTER WEST E.M.B.

AGENDA

29th April 2008

Those Present

Welcome to new members

Apologies

Minutes of Previous Meeting January 2008

Matters Arising

We

- | | |
|--|--------|
| 1. Election of New Committee | 7.05pm |
| 2. Monthly EMB Budget Reports | 7.25pm |
| 3. Stock Options Investment Appraisal | 7.35pm |
| 4. Exercising an Expansion of Managerial Responsibilities Under
Right To Manage Legislation | 8.00pm |
| 5. Nominations to Sub-Committees 2008/09 | 8.25pm |
| 6. EMB Quarterly Performance Management Report | 8.45pm |
| 7. Draft Code of Conduct for EMB Board Members | 8.50pm |
| 8. Board Member Training Programme | 8.55pm |
| AOB | 8.55pm |

All EMB Board Members

22ND April 2008

Our Reference

Your Reference

Please Contact
Damian Donnelly

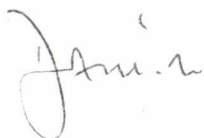
Dear colleague,

RE: LANCASTER WEST ESTATE MANAGEMENT BOARD MEETING

I am writing to advise you that the next meeting of the Lancaster West Estate Management Board will take place on Tuesday 29th April 2008 at the EMB Clubrooms at 7.00 pm.

I would be grateful if you could notify Enid Bailey in advance if you are unable to attend.

Thank you.



Damian Donnelly
Area Manager

Circulation List

Roslyn Sylvester
Teresa Miles
Pam Payne
Dr Evan Arkas
Dee Dainton
Ivis Wong
Keith Miles
Shiela Belgrave
Helen Evans
Vesna Mitic

C'llr Dr Iain Hanham
C'llr Mathew Palmer
Geraldine Lord
Christine Richer
Robert Bryans
Councillor Judith Blakeman
Jayne Woods
Liam Good
Sue Daniels
Dougal Steward

Lancaster West EMB - Board Meeting – 29 January 2008

Baseline Studios Boardroom

(moved from the Resource Centre due to flooding)

In Attendance

Robert Bryans (RB) (Chaired)
Keith Miles (KM) (Chair)
Dr Evan Arkas (DA)
Rosalind Sylvester (RS)
Geraldine Lord (GL)
Teresa Miles (TM)
Dougal Steward (DS)
Paul Steadman (PS)
Robert Regan (RR)

Officers in Attendance

Damian Donnelly, Area Manager, Lancaster West Estate (DD)
Ian Twyford, Director of Housing Management, TMO (IT)
Jayne Woods, Financial Controller, TMO (JW)
Alan Hunter, Estate Officer, Lancaster West Estate (AH) (Minutes)

Apologies

Pre-Meeting

RB welcomed Dougal Steward to the EMB. He has been co-opted for 1 meeting only, until the EMB AGM in February 2008.

Minutes of Previous Meeting

Accuracy – Agreed.

Matters Arising

3.5 – RB queried £12k figure.

DD said this amount was paid to Leaseholder Services for managing leaseholders accounts.

3.9 – RB queried this point.

DD said that the EMB had stopped the £14k contribution to Youth Services as there was a risk of a breach of the regulations contained in the Housing and Planning Act 1986 in respect of ringfencing of the HRA.

ACTION – DD to look in to this further and report back to the Board at the next meeting.

1.0 Housing Revenue Account (HRA) – Rent Report 2008/9

JW – Report by Financial Controller, TMO.

Rents will be increasing by an average of 5.18%.

Overall, there is a decrease in the housing subsidy of £3.1m and there will be a considerable reduction in budgets.

Capital Programme funding is likely to decrease from £20m to £6m. This will particularly affect repairs budgets.

The TMO is aiming to make considerable cuts in 2008/9.

Summary:

- HRA outlook gloomy and no certainty beyond 2008/9
- Planned financial strategy to address HRA issues has commenced successfully and further work is ongoing
- Stock Options review is underway
- Timing of Leaseholder income is still important, and as there are less works in progress income will be reduced
- Working balance levels are still acceptable in the short term
- Reviews of car parking charges and leaseholder management fee charges are in progress

DS – Queried why Government is not allowing the TMO to forecast further than one year ahead.

JW – This is standard practice within the current financial climate.

2.0 Budget Proposals 2008/9

DD – Report by Area Manager

It is estimated that EMB reserves will decrease in 2008/9 by £99k largely due to an overspend in the management fee, and £25k largely from covering maternity costs.

The EMB is aiming to mirror the TMO and RBKC's costcutting but is fortunate in having reserves of £533k.

Proposed:

(i) Approval to draw on EMB reserve to fund £73,914 arising from an anticipated overspend in the Management fee for 2008/9.

(ii) Approval to draw on the EMB reserve to fund a further £25,086 to cover anticipated additional staffing costs e.g. maternity leave cover during 2008/9.

(iii) Approval to reduce the management fee for 2008/9 by £25,000 to £386,000 funded by a drawdown on the EMB reserve.

OUTCOME – Proposal ratified by the Board.

DS – Queried why the EMB can't make better use of alternative energy options.

RB – There has been a continuous review of the situation to date and all grants available have been applied for already. EC funding is limited due to the age (30 years) of the Estate heating system.

3.0 Monthly EMB Budget Reports

DD – Report by Area Manager

Report to advise the Board of the Management Expenses and HRA repairs expenditure as at 31 December 2007.

The overall forecasted position on expenditure for management expenses is a negative variance for year end of £11,139. This relates to staff salaries, mainly a saving by the retirement of the Area Administration Officer and the cost of covering maternity leave.

The overall position for HRA expenditure is a favourable variance and total expenditure of £188,381 against a budget to date of £344,910. A favourable year end variance is predicted.

4.0 Rent Income Team

IT – Report by Director of Housing, TMO

IT outlined the proposals contained in his report. He said the two key principles were: (i) the creation of Neighbourhood Teams and (ii) the creation of a Rent Income Team, both to be set up by April 2008. This would mean that one Estate Officer would transfer to the Rent Income Team and the other would manage all tenancy management issues at Lancaster West.

Proposed: Board Approval for the proposed restructuring of the Housing Management Team; and to agree a programme of resident consultation.

RB – Said he believed the EMB had a good record in rent collection and queried the need for restructuring. Also, he asked whether moving one officer off site could improve the service and what would happen if the remaining officer was off sick.

DA – Suggested that this proposal was a trial and error approach.

Discussion over rent collection rates and effectiveness.

Outcome: RB said that more time was needed and requested no EMB decision before the next AGM.

ACTION – IT to provide further details of the EMB and TMO's rent collection record.

5.0 Update on Communal Heating Systems

DD – The consultants have identified a number of options.

RB – Due to the amount of work that has been going on in both boiler houses on Lancaster West, he thinks there will be no option other than continuing to improve the current system. He said they would need to go back to the consultants for further discussion.

6.0 EMB Quarterly Performance Management Report

DD - Historically, the EMB has higher rent arrears than the rest of the EMB for a number of reasons. The goal is to reach 97.62% in order to be within the top quartile within London. The EMB is not there yet but is improving steadily and should be on target by end of Quartile 3.

Repairs target is 85.23% of repairs completed on time, which is below the TMO target and not satisfactory. DD is meeting with the Contracts Manager to discuss this situation.

ACTION – RB to ask TMO for clarification on writing off rent arrears as a large proportion of the debt is historical and cannot be collected.

PART TWO

7.0 Tender of Pest Control Contract

DD – Proposed to extend the current contract with Rentokil; and to approve the draft pest control contract procurement process with a new contract starting in January 2009.

OUTCOME - Agreed

8.0 AOB

New Senior Youth Worker appointed. DD to arrange meeting.

Safestore-EMB objection to Planning Application lodged.

NEXT MEETING DATE – 29th April 2008

PART BLANCASTER WEST - ESTATE MANAGEMENT BOARDBOARD MEETING - 29th April 2008REPORT BY THE AREA MANAGERBOARD MEMBER ELECTIONS, CO-OPTES AND BOARD OFFICERS**1 Purpose of the Report**

1.1 The purpose of this report is to advise the Board concerning the Board Member elections held at the AGM on 26th February and obtain agreement for Co-optees, as well as to appoint Board Officers.

1.2 The EMB Board is **recommended** to approve:

- a) Councillors Dr Iain Hanham, C'llr Palmer and Judith Blakeman as Council nominated voting Co-optees as in 4.1
- b) A decision on the other nominated voting Co-optees, as indicated in 5.1
- c) The election/appointment of Board Officers, as in 6.1

FOR DECISION

2.0 Introduction

- 2.1 In accordance with the Constitution EMB Board Members may hold office for three years and one third stands down each year, but may be eligible to stand for re-election.
- 2.2 This year it was the turn of Robert Bryans, Dr Evan Arkas, Francis O' Connor and Marcia Levy to stand down.
- 2.3 Following the Board Member election at the AGM Dr Arkas and Robert Bryans were re-elected to serve a further term of office on the Board. In addition the following new members were elected to serve a term of office: Vesna Mitic, Geraldine Lord and Dougal Steward..
- 2.4 During the year one previously elected Board Members, Robert Bryans stood down from office of Chair having been ineligible to serve as an elected Board member due to consequential non-residential status.
- 2.5 The current Board now comprises 11 elected resident Board Members.

3.0 Election Process at AGM

- 3.1 The Constitution of the EMB states that:
 “Unless otherwise determined by the Society on General Meeting, the Society shall have a Board comprising not more than fifteen and not less than three elected members plus persons co-opted in accordance with the provisions of these rules”.
- 3.3 At the AGM candidates were invited to identify themselves to the meeting and then the secret ballot took place.
- 3.4 Following counting of the votes 4 candidates were elected bringing the current number of elected Board members to 11 in total.

4.0 Approval of Council Nominated Co-Optees at Board Meeting

- 4.1 The Council nominations, namely Councillors Dr Iain Hanham, C’lr Mathew Palmer and Judith Blakeman hold co-optee positions with voting rights. The Board is **recommended** to approve their re-appointment until the next AGM in 2009.

Council co-optees to leave room briefly for the vote to take place.

The Co-opted Board Members with voting rights to rejoin the Board Meeting.

5.0 Approval of other nominated co-optees at Board Meeting

- 5.1 The Board has also approved other co-optees, in the past, and are asked to approve the following:

Name	
Ms Dee Dainton	Grenfell Crèche
Mr Robert Bryans	Former resident & Chair EMB

Co-optees to leave the room for the vote to take place.

It is **recommended** that the above nominations be approved with voting rights until the next AGM in 2009.

- 5.2 The EMB has a reciprocal arrangement with the TMO Board for each to send an Observer, currently Mr Tim Rice represents the TMO Board. The Board are asked to approve the TMO nomination to the EMB Board.
- 6.0 **Appointment of Board Officers at Board Meeting**
- 6.1 The Constitution requires that at the first meeting after the AGM the Board shall “elect from its own number a Chairperson and Vice-Chairperson of the Society and of the Board” and “also appoint a Secretary and Treasurer and other such officers as it may from time to time decide”.

7.0 **Recommendations**

7.1 The Board is **recommended** to elect a Chairperson and Vice-Chairperson and appoint a Secretary and Treasurer.

- **The Board elects / appoints these Officers.**
- **The Elected Board members approve the appointments of co-optees including conferring voting/non-voting rights.**
- **Any remaining Co-opted Board Members to join/rejoin the Board.**

Damian Donnelly
Area Manager

FOR DECISION

LANCASTER WEST EMB –29th April 2008

REPORT BY AREA MANAGER

Draft EMB Code of Conduct for Adoption by Board

1.0 The attached draft Code of Conduct is submitted for adoption by the Board.

1.1 The Code of Conduct is designed to strengthen the role and effectiveness of the non-executive Directors accountability of Board Directors and improve Governance standards within the company generally.

1.2 Adoption of the Code will be a practical step in preparing for compliance with the new director's duties set out in the new provisions arising from the Companies Act 2006.

FOR DECISION

2.0 Background

2.1 The list of statutory duties set out in Part 10 (SS170-181) Act the new Act are as follows:

- Duty to act within powers
- Duty to promote the success of the company
- Duty to exercise independent judgement
- Duty to exercise reasonable care, skill and diligence
- Duty to avoid conflicts of interest
- Duty not to accept benefits from third parties
- Duty to declare interest in proposed transaction or agreement

2.2 All the above take effect from October 2007. There are a number of other provisions on conflicts of interest, residential addresses, and undeclared and natural directors due to come into effect from October 2008.

2.3 Several papers on the new regulations have been presented to the Board at previous Board meetings over the last 12 months in order to ensure Board members are prepared and well-briefed on their statutory duties.

2.4 In order to ensure that the company is well prepared for the impact of the new statutory directors' duties further briefing reports will be submitted to the Board to ensure compliance.

2.5 In addition a review of policies and guidelines will be undertaken by the Company Secretary to ensure there are no gaps through which problems could emerge.

FOR DECISION

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

LANCASTER WEST EMB BOARD MEMBERS CODE OF CONDUCT

Aim: This code of conduct is intended as a way of ensuring that Board members maintain agreed standards and make clear how any potential conflicts of interest can be raised and dealt with.

Process: The code of conduct has been developed by the Board through discussions with Board members. It has been researched and drafted by the Area Manager and presented for adoption at the Board Meeting on 29th April 2008.

EMB Values:

- We value people having a say in decisions that affect the running of their estate.
- We value the trust we have gained as elected representatives of the community we serve
- Through effective partnership working we respect all those who work with us.
- We strive for sustainable solutions in all that we do.
- We value working with integrity to build relationships based on trust and respect.
- We value diversity and constructive critical dialogue involving diverse views and opinions.
- We value our community identifying their own needs and aspirations and managing our community assets.
- We value the principles of democracy, social justice and equality.

The Code of Conduct

Our Beliefs and Principles:

The basis for the code of conduct is a shared set of beliefs and principles that reflect EMB ethics and are consistent with the aims of the organisation. By owning and following these principles, Board Members can know that they are contributing to a collective attempt to improve the estate through regeneration, estate investment, stock options appraisal, community development and responsible management of estate services, finance and budgets. All Board Members are required to sign an EMB Board Member Declaration (**Appendix 1**).

Consistency and Integrity

Board members have a general duty to act in the best interest of the organisation as a whole to represent the community they serve. Board members are volunteers who commit their time and effort to achieving positive social change, rather than for any financial or other material benefit for themselves or friends and family.

In carrying out their role, decisions made by the Board in procuring, awarding contracts and carrying out any other business related to the running of the estate, will always be made on the basis of achieving the best for Lancaster West Estate residents. Board Members commitment to the values and vision of the organisation will ensure they are able to resist attempts that may be made by outside individuals or organisations to seek influence in inappropriate ways. Before accepting gifts or hospitality it is important for Board Members to consider whether it may be thought to be influencing judgement.

Accountability and Transparency

Board members have a duty to comply with the law relating to being a director of the company set out on the 1985 and 2006 Companies Acts and the Financial Services Act 1986.

Board members should be proud to be identified in their association with the Lancaster West Estate and to inform others of their involvement and work on the EMB Board. This means making themselves available and contactable, as opposed to being unseen and unknown. Board members should recognise that they are accountable to the public, to our partners in RBK&C, Lancaster West Management Association Members, the TMO and most importantly to our residents living on the Lancaster West Estate as well as the diverse community groups involved in work on the estate, for the

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

decisions taken as elected representatives. By being recognisable, Board members accept to submit themselves to an appropriate level of scrutiny.

Honesty and Openness

Board Members should be aware of the sensitivity of some information that they will have access to and are committed to handling confidential material with due care and consideration.

Decisions of the EMB Board will be made in as open a manner as possible and will seek to avoid any information being withheld unless it is necessary. This includes explaining why decisions have been taken and explaining Board Members' actions.

Board Members must be honest about any conflict of interest between their role as a Board Member and disclose any private interest and any potential conflict of interest. Openness extends to clearly explaining any different roles Board members may play within and outside of the EMB.

Co-Operation and Consensus

In carrying out their role, Board Members should try to focus on finding solutions and positive outcomes for the management of the estate and community resources. This means valuing and accommodating differences of opinion and attempting to focus on shared values. Some situations will prove challenging in finding ways forward when differences of opinion exist, however Board members should be committed to facing up to this responsibility. Where a decision has to be reached on the basis of the majority view, it will be the responsibility of all Board Members to support such a decision as if it were reached by consensus.

Respectful and Valuing Diversity

As a tenant-led organisation the EMB is committed to promoting equalities, valuing diversity, and challenging discrimination as well as actively opposing all forms of discrimination on grounds of gender, race, age, disability, sexual orientation, religion or lifestyle. The EMB has a legal duty to comply with legislation relating to diversity and equality, including Disability Discrimination Acts, Race Relations Amendment Act 2000 and Employment Equality (Religion and Belief) Regulations 2003.

The EMB is committed to challenging and combating discrimination as a managing agent of the Council, through all its working practices, and external work, or similar. This commitment extends beyond simply complying with legislation and in seeking to combat injustice and social inequality. Board Members must be committed to treating everyone equitably, without prejudice and respecting and celebrating the diversity of opinions, experience and background whilst appreciating that any contribution needs to be constructive, respectful and appropriate. Board Members should accept responsibility in challenging discrimination, and discriminatory opinions, in representing the organisation, in meetings or in carrying out other work for the EMB.

Responsibilities and Expectations

The EMB will seek to minimise the cost of Board members carrying out their role and will reimburse all reasonable expenses incurred in carrying out their role (Rule 37). Guidelines for rates and allowances of personal expenses and procedures for reclaiming them are included in the EMB Company Procedures Manual.

Board members are expected to attend EMB Board meetings and to contribute to discussion and decision-making between meetings as far as possible. Unacceptable absence, as defined within the Rules of the Lancaster West Management Association can result in a Board Members being asked to stand down from office (Rule 38).

The EMB will seek to minimise the amount of time required from Board Members Trustees through the provision of email, telephone, and by minimising the number of board meetings.

Dealing with Possible Conflicts of Interest (Rule 36)

Board members should declare any possible conflict of interest where the issue being discussed is:

- of financial interest - that is where a Board Member or their friends and family may directly benefit;

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

- of personal interest or the interest of family and friends - to a point that the decision is likely to be biased as a result;
- likely to be perceived by others as influencing a decision.

In dealing with conflicts of interest, Board Members can ask the Board Member:

- to leave whilst that item is discussed;
- to remain silent during the discussion;
- allow them to remain and participate in the discussion of that item (whilst recognising that the possible conflict exists).

If the Board Members are unsure whether a possible conflict of interest exists, they can consult with the Chair of the Board. The general principle and commitment to openness ensures that Board Members will consider it better to declare a possible conflict of interest rather than assume that none exists.

Conflict of interest declarations (**Appendix 2**) will be circulated annually and signed by every EMB Board Member and a record of all declared interests will be kept by the Company Secretary of Lancaster West management Association. Any changes of personal circumstances that affect a Board Member's interests should be conveyed to the Company Secretary by the next board meeting.

EMB Board Member **Declaration of Conflict of Interest (Appendix 1)**

I declare that:

I am over 18 years of age

I am not an undischarged bankrupt

I have not previously been removed by a Court from being a Director of a Company or Trustee of a charity

I am not under a disqualification order under the Company Directors Act 1986

I am not disqualified by the Charities Act (S72) from acting as a Trustee

I understand and am committed to the EMB/Lancaster West Management Association's s overall aims, beliefs and principles

I accept my responsibilities and duties as a Board Member/ Director and am committed to acting at all times in the best interests of the EMB/Lancaster West Management Association.

I have read, understood and agree to follow the Code of Conduct for Board Members

I agree to make any possible conflict of interest known, where a decision that personally affects me is being discussed

I agree to notify the Company Secretary of any areas of possible conflict on an ongoing basis

Name:

Signed:

Date:

EMB BOARD MEMBERS' CODE OF CONDUCT AND DECLARATION OF CONFLICTS OF INTEREST

Conflict of Interest Form (Appendix 2)

EMB Board Members will act in the best interests of the EMB/Lancaster West Management Association and our members. As individuals, Board Members have wide-ranging interests in private, public and professional life and these interests may on occasion conflict or overlap. This may be as a provider of goods and services or any other example.

In the interests of openness Board Members will review and identify any possible conflicts of interest.

	<u>Yes</u>	<u>No</u>
Have you received any loans from the EMB/Lancaster West Management Association?	<input type="checkbox"/>	<input type="checkbox"/>
Have you, or people you are connected to (including family and business links), an interest in a contract or other transaction with the EMB?	<input type="checkbox"/>	<input type="checkbox"/>
Have you, or person connected with you, received any material benefit or gain from the EMB/Lancaster West Management Association?	<input type="checkbox"/>	<input type="checkbox"/>

Name:

Signed:

Date:

If you have answered 'yes' to any of the above questions please provide details below:

Please list any areas or subjects which may give result in possible conflicts of interest:

LANCASTER WEST EMB –29TH 2008

REPORT BY AREA MANAGER

1.0 Purpose of the Report

This report updates the Board on progress towards the completion of a Board Training & Development Programme which will enable Board Members to carry out their duties more confidently and effectively.

FOR COMMENT/INFORMATION

2.0 Background

2.1 A development programme is being introduced to ensure the Board, as a whole, has the relevant skills, knowledge and experience to perform its role, and is sufficiently representative of the interests of the organisation's membership and wider constituency.

2.2 Information and training will be made available to members of the Board through the Residents Initiative Team or other appropriate training consultant in order that they may be able to carry out their duties and responsibilities effectively.

3.0 EMB Board Skills Statement

Recently the EMB is conducted a survey into the skills, knowledge and experience required by the Board to strategically drive the organisation and carry out governance functions. Based upon this audit of the Board Members a list of requirements has been drawn up and listed as priorities for inclusion in the Board Training Programme (See Appendix A).

4.0 Governance & Responsibility

4.1 As the board are responsible and liable for the governance and functioning of the Lancaster West Management Association (LWMA), they are accountable in varying degrees to a variety of stakeholders, including: ward members, tenants & leaseholders, the Council, the Financial Services Association, Companies House and community groups living on the estate. As a membership organisation The Board should pay particular consideration to the needs and aspirations of members.

4.2 The Board are therefore responsible for the overall governance and strategic direction of the EMB, developing the organisations aims, objectives and goals in accordance with legal regulatory and governance requirements.

FOR INFORMATION

BOARD SKILLS STATEMENT

During 2007 the EMB undertook an audit of Resident Board Members skills, knowledge and experience required by the Board to strategically drive the organisation and carry out governance functions. Based upon this audit of the remaining Board members the following requirements are considered priorities to be covered through a comprehensive Board Member Training Programme.

Experience of interacting/working with the following groups:

BME, Gay Lesbian Bi-Sexual Transsexual, Diaabled
Refugee and Asylum Seekers
Older People
Young People

Experience of:

Living on the Lancaster West Estate and accessing first hand Estate and Tenancy Management services
Attending Board and sub-committee meetings and interpreting Board reports and briefing papers

Experience of the following sectors:

Housing
Health
National Public Sector
National Voluntary Sector Infrastructure

The following areas of knowledge:

Company Law
Health and Safety Legislation
Charity Law
Finance & Budgeting & Planning
Repairs & Maintenance
Business Planning
Community Development
Neighbourhood Management
Equality & Diversity (E& D)
ASB
Social Enterprise

The following skills:

Lobbying and Campaigning
Change Management

Overall Purpose

The EMB Board is responsible for the overall governance and strategic direction of the EMB/Lancaster West Estate, developing the organisations aims, objectives and goals in accordance with the Management Agreement, Business & Service Plans, governing documents, legal and regulatory guidelines.

Main Responsibilities

- To ensure that the Lancaster West Management Association/EMB and its representatives function within the required legal and regulatory framework and in line with the organisations' Memorandum and Articles of Association, continually striving for best practice in governance.
- To uphold the duty of trust invested in the position, undertaking such duties in a way that adds to public confidence in the Lancaster West Management Association/EMB...
- To determine the overall direction and development of the Lancaster West Management Association/EMB. through good governance and clear strategic planning.

Main Duties

- Ensuring the Lancaster West Management Association/EMB complies with legislative and regulatory requirements, and acts within the confines of its Memorandum and Articles of Association and in furtherance to organisational activities contained therein.
- Acting in the best interest of the company, its members, residents and beneficiaries at all times.
- Promoting and developing the Lancaster West Management Association/EMB in order for it to grow and maintain its relevance to the residents and community.
- Maintaining sound financial management of the Lancaster West Management Association/EMB resources, delegated budgets and other assets ensuring expenditure is in line with the organisations' objects, and investment activities meet accepted standards and policies.
- Interviewing, appointing and monitoring the work and activities of the senior paid (executive) staff.
- Ensuring the effective and efficient administration of the Lancaster West Management Association/EMB and its resources, striving for best practice in good governance.
- To maintain absolute confidentiality about all sensitive/confidential information received in the course of carrying out the Director's responsibilities to the Lancaster West Management Association/EMB.

Accountable to

- As the Board are responsible and liable for the governance and functioning of the Lancaster West Management Association/EMB, they are accountable in varying degrees to a variety of stakeholders, including: Council, TMO, members, residents, funders, the Financial Services Association (FSA) Register of Friendly Societies, Charity Commission, and Companies House and community groups involved in regeneration. As a membership organisation the Lancaster West Management Association/EMB should pay particular consideration to the needs and aspirations of members.

Duties of Vice-Chair of Lancaster West Management Association/EMB.

Overall Purpose

To support the Chair to provide leadership and direction to the EMB Board, acting as a replacement for the Chair in their absence. Contributing to the organisation's aims, objectives and goals in accordance with the Management Agreement, Business Plan, governing document, legal and regulatory guidelines.

Main Responsibilities

- Working with Board and members of staff to develop strategic plans for the Lancaster West Management Association/EMB.
- Providing support and leadership to the Chair and ensuring that the Lancaster West Management Association/EMB is run in accordance with the decisions of the Lancaster West Management Association/EMB and the governing documents.
- Acting as a replacement for the Chair in their absence and undertakes assignments at the request of the Chair.

Main Duties

- Ensuring Board decisions are acted upon.
- Supporting the Chair, Lead Officer (Executive) and Company Secretary with the business of the C Lancaster West Management Association/EMB as appropriate.
- Contributing to the planning of Board meetings.
- Participate in any other sub-committee or working groups that may be established in line with standing orders and terms of reference, and reporting back to the Board.
- Acting as spokesperson and representing the Lancaster West Management Association/EMB at appropriate events.

Duties of the Treasurer

Overall Purpose

- The Treasurer is responsible for monitoring the financial matters of the Lancaster West Management Association/EMB and reporting to the Board at regular intervals about the financial health of the organisation, in line with good practice and in accordance with the governing documents and legal requirements.

Main Responsibilities

- To oversee, and present budgets, accounts and financial statements to the Board.
- To ensure that proper accounts and records are kept, ensuring financial resources are spent and invested in line with good governance, legal and regulatory requirements.
- To be instrumental in the development and implementation of financial, reserves and investment policies.

Main Duties

- Liaising with the members of EMB/TMO/Council staff responsible for the financial activities of the organisation, currently the Area Manager (EMB), Director of Finance (TMO), Financial Controller (Council) and Chief Housing Officer (Council).
- Chairing any finance committee or other sub-committee that may be established, in line with standing orders and terms of reference, and reporting back to the Board.
- Monitoring and advising on the financial viability of the Lancaster West Management Association/EMB.
- Overseeing that financial controls and systems are in place and adhered to.
- Advising on the financial implications of the Lancaster West Management Association/EMBs strategic plan.
- Acting as a counter-signatory on Company cheques and any applications for funds.



**LANCASTER WEST
ESTATE MANAGEMENT BOARD
NOTICE OF ANNUAL GENERAL MEETING**

Tuesday 26h February 2008

at 7.00pm

**To be held in St Clements Community Centre
95 Sirdar Road
London W11**

At the Annual General Meeting of the Lancaster West EMB the following business will be transacted.

1. Approval of the minutes of the AGM held on 27^h February 2007
2. To receive the Chair's report on the EMB and its activities
3. To receive the accounts and report of the Boards auditor. (Year end 30th September 2006).
- 4.. To consider and approve the following resolution:

 "that the Rules the Lancaster West Management Association be amended to include "resident" co-optees as comprising part of the count in addition to elected Board members to achieve the quorum necessary for the transaction of company business at board meetings."
5. The election of Board members
- 6.. The appointment of an auditor
- 7.. To consider and approve the following resolution:

"The Lancaster West Management Association wishes to continue to manage the Lancaster West Estate under the terms of the Management Agreement with the Royal Borough of Kensington & Chelsea dated 1st August 1993."

8. A.O.B.

** Please note that only registered members of the EMB will be allowed to vote on any question at the Annual General Meeting. Each Member is entitled to one vote only. Votes must be given personally. Under the Companies Act 2006 every company members has a statutory right to appoint a proxy for general meetings. The return of the proxy form must be 48 hours before the meeting.*

Only the business stated above will be conducted at the AGM. The meeting will not consider matters, which are personal to you concerning your own home or block. However, the Estate Officers and the Area Manager will be available to speak to you after the meeting.

Refreshments will be served following the closure of formal business.

18th February 2008

Our Reference

Your Reference

Please Contact
Damian Donnelly

Dear colleague,

RE: LANCASTER WEST AREA REVIEW BOARD MEETING

I am writing to advise you that the next meeting of the Lancaster West Area Review Board will take place on Thursday 21st February 2008 at 7.00 pm in the EMB Clubrooms. Please note the change of venue which is due to improvement works being carried out in the North Kensington tenant resource Centre.

I would be grateful if you could notify Enid Bailey me in advance if you are unable to attend.

Thank you.


Damian Donnelly
Area Manager

Circulation List

Philip King	Mr & Mrs Nicholas	
Terry Guppey	Francis O'Connor	Edward Studd
Mamusu Bangura	Pam Payne	Jackie Blanchflower
Dr Arkas	Tony Rey	
Robert Pereno	David Deakin	
Keith Miles	Christina De Belen	Frank Owen
Miles Watson	Ivis Wong	Geraldine Lord
C'llr Blakeman	Fabrice Goacher	Teresa Miles

**PROGRESS REPORT FOR AREA REVENUE WORKS PROGRAMME-
FEBRUARY 2008 ONWARDS.**

1.0 Purpose of the Report

This report advises the Area Review Board of progress of the various ARB schemes from the beginning of April 2007.

1.1 Recommendation

ARB members are invited to comment on the progress of the schemes and to take decisions on progressing schemes awaiting decision by the Board.

FOR DECISION

2. Background

- 2.1 Each Area Review Board has a delegated budget which funds minor environmental improvement works on the estate which is not covered under the responsive repair, planned or cyclical maintenance programmes.
- 2.2 The Area Manager acts as advisor to the ARB Board and provides a regular progress report to the Area Review Board on the various projects that have been submitted to the Board.

3. Progress Report

- 3.1 The allocated ARW budget at the start of the year (April 2006) was £35,335. In addition we carried over £10,659 from the previous year giving a total budget of £45,994.
- 3.2 At the start of the year we were notified of a successful bid of £50,000 Regeneration Funding to carry out external landscaper and refurbishment improvements to the North Kensington Tenant Resource Centre. We agreed in turn to contribute £20,000 from ARB Funds and £5,000 from the Horticulture Budget bringing the total budget for this project to £75,000.
- 3.3. At the Board meeting in November an update was provided following the site inspection visits conducted with Terry Guppey and Sudi Bokar from the Landscape Surveying Team.
- 3.4 The most recent progress report on expenditure on this scheme estimated that the total Cost of the work which will include works to ensure that the centre complies with Disability Discrimination Act (DDA) requirements will be around £122,000.
Total cost of External Works = £84,500
Total cost of Internal Works = £37,500

This would result in a shortfall of approximately £50,000 (i.e. Regen Fund £50,000 plus ARB Contribution £20,000 plus Horticulture Contribution £5,000 =

-£122,000

£ 75,000

= **£ 47,000 Shortfall for 2007/08.**

- 3.5 It is unlikely the full programme of works will be completed before the end of the financial year i.e. 31st March 2008. However, should this be the case then the ARB will need to request that the EMB Board agree that a contribution from the EMB Reserves be vired to the ARB budget to enable the payment for the full programme of works in this financial year.
- 3.6 As it is more likely that the works will be sequenced over two financial years the ARB should have sufficient access to funds within the current budget to cover the costs of works up to the end of March 2008. The remainder of the works can then be financed from the 2008/09 ARB budget. A further application for a second tranche of Regeneration Funding will also be submitted before the end of February 2008.
- 3.7 At the end of January 2008 £13,859 of works had been committed from the current Budget. In addition a further expenditure item for Improvements to Grenfell Playground Nature Area had also been approved amounting to £8765.00 plus VAT i.e. £10,298 in total. Overall incurred expenditure to date amounts to £22,624 leaving £23,370 remaining in this year's budget. As £20,000 of this is already committed to the regeneration scheme this leaves a total of £3,370 remaining in the kitty for 2007/08 for the Board to consider spending on other minor environmental improvement or horticulture schemes.

FOR DECISION



LANCASTER WEST ESTATE MANAGEMENT BOARD

ESTATE OFFICE GRENFELL TOWER LONDON W11 1TQ

Councillor Judith Blakeman
The Town Hall
Horton street
W8

RECEIVED
19 FEB 2008

31st January 2008

My Reference: EMB/DD Membership No. Please Contact: Enid Bailey

Dear Ms. Blakeman,

Annual General Meeting Lancaster West Management Association

I have pleasure in inviting you to this year's EMB Annual General Meeting and enclose the Notice of Meeting together with the agenda, the minutes of last year's AGM held in February 2007 and the Board Member nomination form for election to the Estate Management Board.

The meeting will be held in the St Clements Community Centre, 95 Sirdar Road, W11 4EQ at **7.00pm on Tuesday 26th February 2008**. Please bring this letter with you as proof of membership. Only registered EMB members are entitled to participate and vote. Non-members may apply to join the EMB on the evening but will not be entitled to participate or vote at the meeting.

After the formal part of the meeting the AGM will be closed. Refreshments and food will then be served and members can engage in discussion with Board Members, EMB & TMO staff.

It will be most helpful if you let me know if you will be attending the Annual General Meeting. If you will be coming please sign and detach the reply slip of this letter and return it to the reception desk in Grenfell Tower, Grenfell Road, Lancaster West Estate, London W11 1TQ.

I hope that you will be able to attend the Annual General Meeting.

Yours sincerely,

Robert Bryan
Chair, Lancaster West EMB

Judith Blakeman

More than just an AGM! ...

AGM 2008 – “creating a strong EMB”

Celebrate the diversity of the Lancaster West Estate

Taste delicious food and refreshments

Learn about the work of the Estate Management Board (EMB) and how you can become involved in the running of your estate.

**... and be part of the important task of voting in
YOUR board to manage YOUR estate in 2008.**

**7-9pm, Tuesday 26th February 2008 St
Clements Community Centre, 95 Sirdar
Road, London W11 4EQ**

Please let Enid at the Estate Office know if you are attending or to request a Board Member nomination form.

T: [REDACTED] E-mail: ebailey@tmo.org.uk

AGM 2008

Tuesday 26th February 2008

PROGRAMME

- ROBERT BRYANS, Chairperson, welcomes everyone, gives introduction and apologies for absence.
- To consider, and if thought fit, pass the following resolution
"That the minutes of the Annual General Meeting held on February 2007 be agreed."
- Address by Robert on the activities of the EMB over the last year
- Presentation of the Annual Accounts by Treasurer of the EMB
"To adopt the Annual Accounts for the year ended 30th September 2007".
- To elect members to the Board
- In accordance with section 51 of the Rules of Lancaster West Management Association Limited to decide whether to appoint Richman & Co. as Auditors for a period of one year.
- Resolution to continue to manage
- Resolution to decrease quorum by one and to amend n rules of LWMA to include resident co-optees as part of the quorum count at Board meetings.
- To amend the rules of the LWMA rules to allow Board members to vote by proxy on urgent Board business
- Closing address by Robert Bryan
- Refreshments!!

* Company law requires that the EMB prepare financial statements for each financial year which give a true and fair state of the affairs of the company and or of the profit or loss of the company for that period. In preparing the financial statements the EMB is required to:

1. Select suitable accounting policies and apply them consistently
2. Make judgements and estimates that are reasonable and prudent
3. Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The EMB Board is responsible for keeping proper accounting records which disclose with reasonably accuracy at any time the financial position of the company and enable it to ensure that the financial statements comply with the Companies Act 1985 and Companies Act 2006.



**LANCASTER WEST
ESTATE MANAGEMENT BOARD
NOTICE OF ANNUAL GENERAL MEETING**

Tuesday 26h February 2008

at 7.00pm

**To be held in St Clements Community Centre
95 Sirdar Road
London W11**

At the Annual General Meeting of the Lancaster West EMB the following business will be transacted.

1. Approval of the minutes of the AGM held on 27^h February 2007
2. To receive the Chair's report on the EMB and its activities
3. To receive the accounts and report of the Boards auditor. (Year end 30th September 2006).
- 4.. To consider and approve the following resolution:

 "that the Rules the Lancaster West Management Association be amended to include "resident" co-optees as comprising part of the count in addition to elected Board members to achieve the quorum necessary for the transaction of company business at board meetings."
5. The election of Board members
- 6.. The appointment of an auditor

7.. To consider and approve the following resolution:

“The Lancaster West Management Association wishes to continue to manage the Lancaster West Estate under the terms of the Management Agreement with the Royal Borough of Kensington & Chelsea dated 1st August 1993.”

8. A.O.B.

** Please note that only registered members of the EMB will be allowed to vote on any question at the Annual General Meeting. Each Member is entitled to one vote only. Votes must be given personally. Under the Companies Act 2006 every company members has a statutory right to appoint a proxy for general meetings. The return of the proxy form must be 48 hours before the meeting.*

Only the business stated above will be conducted at the AGM. The meeting will not consider matters, which are personal to you concerning your own home or block. However, the Estate Officers and the Area Manager will be available to speak to you after the meeting.

Refreshments will be served following the closure of formal business.

Lancaster West EMB - Board Meeting – 30 January 2007

In Attendance

Keith Miles (KM) (Vice Chair)
Francis O'Connor (FO)
Cllr Blakeman (CB)
Teresa Miles (TM)
Dr Evan Arkas (DA)

Various tenants and Leaseholders

Officers in Attendance

Damian Donnelly, Area Manager, Lancaster West Estate (DD)
Keith Stevenson, Estate Superintendent, Lancaster West Estate
Paul Steadman, Estate Inspector, Lancaster West Estate
Janice Jones, Estate Officer, Lancaster West Estate
Eddie Ackwerh, Area Administration Officer, Lancaster West Estate
Karim Daboh, Administration Officer, Lancaster West Estate
Ian Twyford, Director of Housing Management (IT)
Alan Hunter, Estate Officer, Lancaster West Estate (AH) (Minutes)

Apologies

Robert Bryans (RB) (Chair)

1. Minutes of Previous Meeting

Agreed.

2. Chair's Report on the EMB (Estate Management Board) and Activities

Handyman Service

The handyman service made a modest profit in the last year and there are plans to buy a new van and expand the service.

Pest Control

High access figures were reported and the service is to be evaluated and possibly renewed during the next year, which is the third year of the (3 year) contract.

North Kensington Resource Centre

This is back under EMB control.

Community Artist

Explore identity of Resource Centre

New Property Management Sub Committee

To be chaired by Francis O'Connor.

Groundwork –partnership works completed to Playgrounds

Baseline

Studios are 100% let.

30 Year Celebration

Lancaster West Tenants Association led a 30 year celebration of Lancaster West Estate including at youth groups and local schools.

Arrears Figures

Increased heating and hot water charges are a major factor in the increased arrears figures.

Voids

Lancaster West is the best in the Borough with an average turnaround of 22 days.

Decent Homes

Contractors currently carrying out work on the estate.

Future

A new 5 year business plan was proposed.

DD said the Council and the TMO have engaged consultants regarding stock options and future stock investment for the Borough.

The decision to employ consultants regarding stock and services had been approved by Councillors.

IT said that there would be an overall reduction in revenue during the coming year due to government cuts in funding/subsidy. Therefore the TMO are considering alternative funding strategies beyond 2010. The TMO want to generate finance and regeneration opportunities and they will be able to say more about this in 12 months time.

There will be a continuing commitment for the Council to work with the EMB in the future.

The issue of rising costs of heating and hot water charges on Lancaster West Estate was discussed further.

CB said this was a major issue for all tenants and leaseholders on Lancaster West Estate and that we were waiting to be told by consultants whether or not boilers would be replaced by 2010 or not.

FO said the council are meeting on Friday about this and that it is now on their agenda.

Accounts

The audited annual accounts were approved following presentation to the meeting.

4. To Consider and Approve the Following Resolution

'That in accordance with the Rules of the Lancaster West Management Association the current number of elected members required to achieve quorum at the EMB meetings be reduced from 6 elected members to 5 elected members.'

KM said the quorum i.e. number required to vote could be reduced from 6 to 5 to make it easier to achieve quorum and vote.

It was queried whether sufficient skills would be available if the quorum was too small and in regard to good practice in governance. It was agreed that this issue would be followed up with the EMB.

Resident – asked how the EMB promoted itself and tried to attract members.

KM said this was done in various ways including meetings, AGM's and fun days.

KM said they would be deferring resolution until they had liaised with the Council.

5. The Election of Board Members

There are 4 members and 8 vacancies. All 4 were elected. Rob Bryans had 14 votes; Teresa Miles had 15 votes; Rosalind Sylvester had 15 votes, Ivis had 14 votes; and Christine Richer had 14 votes.

6. The Appointment of an Auditor

DD - Currently Richman and co. They have an annual fee of £352.00. They have provided a good service in the past but there is little activity in the EMB accounts due to modest cash flow. Queried if it was worth it or whether or not a cheaper, local alternative would be better, possibly a community group.

Decision – EMB to investigate alternatives and shop around.

7. To Consider and Approve the Following Resolution:

'The LWMA wishes to continue managing the Lancaster West Estate according to the terms laid out in the Management Association and the Royal Borough of Kensington and Chelsea.'

Motion carried.

8. AOB

KM – Asked about Easter Eggs and pet education day. Asked for donation of £100 from EMB.

Agreed to submit request to Board for approval.

Discussion over when the best time for the AGM would be and whether or not it would be better attended if it was in summer. Inconclusive.

NEXT MEETING DATE - 7pm - Tuesday 26 February 2008

Lancaster West EMB - Board Meeting – 29 January 2008

Baseline Studios Boardroom
(moved from the Resource Centre due to flooding)

In Attendance

Robert Bryans (RB) (Chaired)
Keith Miles (KM) (Chair)
Dr Evan Arkas (DA)
Rosalind Sylvester (RS)
Geraldine Lord (GL)
Teresa Miles (TM)
Dougal Steward (DS)
Paul Steadman (PS)
Robert Regan (RR)

Officers in Attendance

Damian Donnelly, Area Manager, Lancaster West Estate (DD)
Ian Twyford, Director of Housing Management, TMO (IT)
Jayne Woods, Financial Controller, TMO (JW)
Alan Hunter, Estate Officer, Lancaster West Estate (AH) (Minutes)

Apologies

Pre-Meeting

RB welcomed Dougal Steward to the EMB. He has been co-opted for 1 meeting only, until the EMB AGM in February 2008.

Minutes of Previous Meeting

Accuracy – Agreed.

Matters Arising

3.5 – RB queried £12k figure.

DD said this amount was paid to Leaseholder Services for managing leaseholders accounts.

3.9 – RB queried this point.

DD said that the EMB had stopped the £14k contribution to Youth Services several years ago as there was a risk of breaching the Housing and Planning Act 1986. In regard to HRA ringfencing.

ACTION – DD to look in to this further and report back to the Board at the next meeting.

4.3 – RB said that gas meter readings still needed to be obtained.

ACTION – DD to contact TMO for readings.

1.0 Housing Revenue Account (HRA) – Rent Report 2008/9

JW – Report by Financial Controller, TMO.

Rents will be increasing by an average of 5.18%.

Overall, there is a decrease in the housing subsidy of £3.1m and there will be a considerable reduction in budgets.

Capital Programme funding is likely to decrease from £20m to £6m. This will particularly affect repairs budgets.

The TMO is aiming to make considerable cuts in 2008/9.

Summary:

- HRA outlook gloomy and no certainty beyond 2008/9
- Planned financial strategy to address HRA issues has commenced successfully and further work is ongoing
- Stock Options review is underway
- Timing of Leaseholder income is still important, and as there are less works in progress income will be reduced
- Working balance levels are still acceptable in the short term
- Reviews of car parking charges and leaseholder management fee charges are in progress

DS – Queried why Government is not allowing the TMO to forecast further than one year ahead.

JW – This is standard practice within the current financial climate.

2.0 Budget Proposals 2008/9

DD – Report by Area Manager

It is estimated that EMB reserves will decrease in 2008/9 by £99k largely due to an overspend in the management fee.

The EMB is aiming to mirror the TMO and RBKC's cost cutting but is fortunate in having reserves of £533k.

Proposed:

- (i) Approval to draw on EMB reserve to fund £73,914 arising from an anticipated overspend in the Management fee for 2008/9.
- (ii) Approval to draw on the EMB reserve to fund a further £25,086 to cover anticipated additional staffing costs e.g. maternity leave cover during 2008/9.
- (iii) Approval to reduce the management fee for 2008/9 by £25,000 to £386,000 funded by a drawdown on the EMB reserve.

OUTCOME – Proposal ratified by the Board.

DS – Queried why the EMB can't make better use of alternative energy options.

RB – There has been a continuous review of the situation to date and all grants available have been applied for already. EC funding is limited due to the age (30 years) of the Estate heating system.

3.0 Monthly EMB Budget Reports

DD – Report by Area Manager

Report to advise the Board of the management expenses and HRA repairs expenditure as at 31 December 2007.

The overall forecasted position on expenditure for management expenses is a negative variance for year end of £11,139. This relates to staff salaries, mainly a saving by the retirement of the Area Administration Officer and the cost of covering maternity leave.

The overall position for HRA expenditure is a favourable variance and total expenditure of £188,381 against a budget to date of £344,910. A favourable year end variance is predicted.

4.0 Rent Income Team

IT – Report by Director of Housing, TMO

IT outlined the proposals contained in his report. He said the two key principles were: (i) the creation of Neighbourhood Teams and (ii) the creation of a Rent Income Team, both to be set up by April 2008. This would mean that one Estate Officer would transfer to the Rent Income Team and the other would manage all tenancy management issues at Lancaster West.

Proposed: Board Approval for the proposed restructuring of the Housing Management Team; and to agree a programme of resident consultation.
RB – Said he believed the EMB had a good record in rent collection and queried the need for restructuring. Also, he asked whether moving one officer off site could improve the service and what would happen if the remaining officer was off sick.

DA – Suggested that this proposal was a trial and error approach.

Discussion over rent collection rates and effectiveness.

Outcome: RB said that more time was needed and requested no EMB decision before the next AGM.

ACTION – IT to provide further details of the EMB and TMO's rent collection record.

5.0 Update on Communal Heating Systems

DD – The consultants have identified a number of options.

RB – Due to the amount of work that has been going on in both boiler houses on Lancaster West, he thinks there will be no option other than continuing to improve the current system. He said they would need to go back to the consultants for further discussion.

6.0 EMB Quarterly Performance Management Report

DD - Historically, the EMB had legacy higher rent arrears than the rest of the Borough for a number of reasons. The goal is to reach 97.62% in order to be within the top quartile within London. The EMB is not there yet but is improving steadily and should be closer to target by Quartile 3. At the moment the EMB's performance is towards top of the Borough for Income Collection and arrears reduction.

Repairs target is 85.23% of repairs completed on time, which is below the TMO target and not satisfactory. He is meeting with the Contracts Manager to discuss this situation.

ACTION – RB to ask RBKC for clarification on writing off rent arrears as a large proportion of the debt is historical and cannot be collected.

PART B

7.0 Tender of Pest Control Contract

DD – Proposed to extend the current contract with Rentokil; and to approve the draft pest control contract procurement process with a new contract starting in January 2009.

OUTCOME - Agreed

8.0 AOB

Appointment of Senior Youth Worker still to be confirmed.

In interim Play Strategy on hold.

PR company has approached DD as they are interested in speaking to LW tenants re Rentokil Contract. DD has passed details to RB.

Safestore – DD gave planning objection letter to RB to consider

Training – offered training to the Board

RR – Handyman van. Agreed to provide information and pictures to the Board at the next meeting.

NEXT MEETING DATE – AGM, 7pm 26 February 2008

LANCASTER WEST E.M.B.

AGENDA

29th January 2008

Those Present

Apologies

Minutes of Previous Meeting 27th November 2007
Matters Arising

- | | |
|--|--------|
| 1. Housing Revenue Account-Rent Report 2008/09 | 7.15pm |
| 2. Budget proposals 2008/09 | 7.40pm |
| 3. Monthly EMB Budget Reports | 7.55pm |
| 4. Rent Income Team | 8.05pm |
| 5. Update on Communal Heating Systems | 8.25pm |
| 6. EMB Quarterly Performance Management Report | 8.40pm |

PART TWO

- | | |
|------------------------------------|--------|
| 7. Tender of Pest Control Contract | 8.45pm |
| 8. AOB | 8.55pm |

21st January 2008

Our Reference

Your Reference

Please Contact
Damian Donnelly

Dear colleague,

RE: LANCASTER WEST ESTATE MANAGEMENT BOARD MEETING

I am writing to advise you that the next meeting of the Lancaster West Estate Management Board will take place on Tuesday 29th January 2008 at the North Kensington Tenant Resource Centre at 7.00 pm.

As that this will be the last Board meeting before the AGM in February the Chair has asked that Board members make every effort to attend the meeting..

I would be grateful if you could notify Enid Bailey in advance if you are unable to attend.

Thank you.



Damian Donnelly
Area Manager

Circulation List

Roslyn Sylvester
Marcia Levy
Pam Payne
Dr Arkas
Dee Dainton
Ivis Wong
Keith Miles
Robert Regan
Shiela Belgrave
Liam Good
Helen Evans

Francis O'Connor
Teresa Miles
Geraldine Lord
Christine Richer
Robert Bryans (Chair)
Councillor Judith Blakeman
Paul Steadman
Jayne Woods
Ian Twyford
Redmond Lee
Sue Daniels

**ESTATE MANAGEMENT BOARD
LANCASTER WEST**

MINUTES OF MEETING

TITLE OF MEETING **EMB – BOARD**

Date: Thursday 27 November 2007

Venue: North Kensington Resource Centre.

Present:

1. Robert Bryans (RB)	Board Member (Chairperson)
2. Dr Evan Arkas (EA)	Board Member
3. Geraldine Lord (GL)	Board Member
4. Roslyn Sylvester (RS)	Board Member
5. Iris Wong (IW)	Board Member
6. Robert Regan (RR)	Co-optee
7. Paul Steadman (PS)	Co-optee

Officers in Attendance

8. Damian Donnelly (DD)	Area Manager – EMB
9. Jan Jones (JJ)	Estate Officer

Apologies:

Jayne Woods	TMO Financial Controller
Teresa Miles	Board Member
C'lr Judith Blakeman	Board Member
Keith Miles	Board Member
Francis O'Connor	Board Member
Ian Twyford	TMO Director Housing Management

	<u>ACTION</u>
1.0 <u>Minutes of previous meeting 30 October 2007</u>	
1.1 DD. Noted that Item 5- Any Other Business should have been presented as Part B and should not have been discussed where an outsider was present.	EMB
1.2 Also noted that the notes should be abbreviated and seen for members only.	
1.3 Accuracy agreed	
2.0 <u>Matters arising</u>	
2.1 DD had a meeting with the Community Education this week. Advert will be going out for a senior youth worker in Jan/ Feb 08. When appointed the EMB rooms will be in use again. At present Rugby Portobello Trust are still using the facility. They will also be setting up a youth forum.	
2.2 It was also agreed that a local play strategy needs to be discussed and agreed upon at the next board meeting	EMB
3.0 <u>Monthly EMB Budget Reports</u>	
3.1 A complaint from Board members about the presentation of these figures i.e. the font being too small. DD to chase Finance to make the tables more readable for the next meeting	DD
3.2 DD - under spend on staffing. Eddie Ackwerh is retiring [REDACTED] 1 member of staff will be on maternity leave. Any costs on temp staff is off set on the savings on salaries.	
3.3 RB - EMB should not have to pay for temp staff as the TMO has seconded their staff to the EMB. We may feel if the TMO do not pay for staff then we can employ staff and the TMO reimburse us the salary	
3.4 DD - To clarify this issue we are asking the TMO to pay for cover for sickness leave that we are paying with temp staff. Temp staff spending £6,000 up to the end of March 2008. Suggested that Jayne Woods could discuss this issue at the next meeting.	JW
3.5 DD- Main variances. Over spending on Premises Security & Carnival expenses. Leaseholder Services-we pay £12,000 to the TMO to manage these services for the EMB	
3.6 RB- Stated that it looks like we are paying twice in one year. Why? DD to look into this	DD
3.7 DD- Clothing and uniforms-renewal every 2 years.	
3.8 RB - Wondered why we do not amortise the cost. Provisions should be made rather than payments made at one swipe.	

	<u>ACTION</u>
<p>3.9 DD – There is no flexibility or scope in this budget. Any savings will be difficult. The Board needs to scrutinize the forth coming budget to see if it will hamper EMB ability to function normally. If it is a deficit budget then it will have to come out of our reserves. We did not contribute £14,000 to Youth Services but this has been taken out of our budget. TMO should ring fence the EMB contribution over a number of years.</p>	EMB
<p>4.0 <u>Council Reports relating to the Heating & Hot Water Service</u></p>	
<p>4.1 Request made for a separate briefing due to the non attendance for the New Year. If possible an afternoon briefing.</p>	EMB
<p>4.2 Concerns were raised that the figures produced from the audit were real unit assumptions rather than real unit consumption. Lancaster West has been charged the most in the borough. Costs should be apportion across the board</p>	
<p>4.3 RR- to provide gas meter readings consumption figures from 1995 -2005</p>	RR
<p>5.0 <u>Lancaster West Estate Office Xmas Opening 2007</u></p>	
<p>5.1 DD- 3.1 should be amended to 9:00am – 16:30pm. Reception to close at 13:00 on 27th 28th & 31st December 2007. Normal hours from 2 January 2008.</p>	
<p>5.2 Agreed by the Board</p>	
<p>6.0 <u>AGM Arrangements 2008</u></p>	
<p>6.1 DD- 2.2 – Should we hold it in the EMB club rooms? At no cost to the EMB but the environment may not be good for socialising or we can look around. We have to look at distance and cater for 30 people.</p>	DD
<p>6.2 RB- We need a quorum to address issues that need a vote. We need people to be enthused to get to the venue. We are asking</p>	

	people to vote but they need to be encouraged to turn up.	<u>ACTION</u>
6.3	DD- Catering- how do people feel about the quality of the food that we cater. Does anyone know anyone/ Could they contact us by early January 2008 to see what they have to offer.	EMB
6.4	It was suggested that an unofficial Board meeting takes place before the AGM (01/02/08). An informal gathering to welcome residents who want to be on the Board and to thank Board members for their contribution. Invites notices to be put on notice boards. Estate Inspectors to distribute leaflets. Also a social evening between residents and Estate Staff to introduce themselves	
6.5	4.2 – Of the longest standing members of the Board eligible to stand Francis O' Connor will not be standing again. There will be vacancies for 8 people. The Board hope that Marcia Levy will restand.	
6.6	4.3- Co-opted members preparing to stand are GL, PS & RR.	
6.7	5.2-1 st resolution should end as complemented- new modular agreement 2006.	
6.8	5.2- 2 nd resolution as to the election of Board members. You can nominate yourselves and give a brief statement but you have to be physically present at the meeting to be elected to the Board.	
7.0	<u>Report on Proposed Handyman Van Purchase</u>	
7.1	RR presented this report. He also stated that diesel prices are now level with petrol. The Board will think about the issues raised and talk about them in the next meeting in the New Year. Also we need to think about if we are to expand the Handyman Service to neighbouring estates.	EMB
7.2	Other issues to consider are maintenance i.e. contract or as or when arrangement with a local garage.	
7.3	It was decided that RR should present at the next meeting no more than 4 vehicle types & cost with pictures. 2 ½ litre diesel fuel tank and should be able to fit a bath. Two Board members action report for decision at next meeting.	RR

ACTION

8.0 Further Update Companies Act 2006

8.1 Board agreed to endorse these changes.

8.2 It was noted that TMO Board has the use of lap tops for electronic voting. The Board have requested that they too should be provided with lap tops for this provision and funds should be granted from the Council. DD to see if this is possible.

9.0 A.O.B

9.1 GL- complained about pharoah ants and the difficulty Rentokil has in eradicating them

9.2 DD to invite GL to the next Rentokil contract meeting. Rentokil contact needs to be extended after December 2007. There will be invite to all Pest Control Contractors. It should be noted that the company needs to be large enough to be able to extend or operate at a loss without it affecting the service it provides us.

Agreed a correct record

Chair of the Board

The Lancaster West Management Association

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TMO Board -10 JANUARY 2008
TCC - 17 JANUARY 2008
OVERVIEW AND SCRUTINY COMMITTEE ON HOUSING,
ENVIRONMENTAL HEALTH AND ADULT SOCIAL CARE – 24 JANUARY
2008
Lancaster West EMB – 29 JANUARY 2008

REPORT BY THE EXECUTIVE DIRECTOR FOR HOUSING, HEALTH AND
ADULT SOCIAL CARE AND THE TMO CHIEF EXECUTIVE

HOUSING REVENUE ACCOUNT - RENT REPORT 2008/2009

This report sets out proposals for 2008/2009 for increases in the rent level and fees and charges to tenants and leaseholders in Council properties managed by the TMO. The proposals in this report result in an average increase in rents of 5.18% (which compares with an average increase of 4.52% for the previous year). Individual rents are calculated on a national formula.

The recommended rent levels are based on the Government's rent restructuring regime where the level of rent is not directly linked to service provision. It requires Kensington and Chelsea to raise its rents in line with the national formula. The amount of housing subsidy paid by Government assumes that the level of rent increase as set out in the HRA subsidy determination (5.5% for 2008/2009) has been implemented and therefore the level of subsidy paid is cut by £1.770 million to reflect the assumed increase in rental income (as set out in Appendix 4).

FOR CONSIDERATION

1. BACKGROUND

- 1.1 This report sets out proposals for budgets within the Housing Revenue Account (HRA) for 2008/2009 and recommends the level of increase to be applied to rents and other charges for the coming financial year.
- 1.2 Management arrangements for budgets within the Housing Revenue Account (HRA) are set out in the management agreement with the TMO. This provides for a number of budgets within the HRA to be managed by the TMO (covering both TMO corporate budgets and TMO managed Tenants Consultative Committee (TCC) budgets). The other budgets remain the responsibility of the Council. Budgets within the HRA therefore fall into four categories as follows:
 - The management costs of the TMO are recorded in the TMO's own company accounts and are paid for by the HRA through an agreed management fee.
 - Managed TCC budgets include the major budgets for purchase of

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
TENANT MANAGEMENT ORGANISATION

REPORT BY THE DIRECTOR OF HOUSING MANAGEMENT

LANCASTER WEST ESTATE MANAGEMENT BOARD

BOARD MEETING – 13TH DECEMBER 2005

TMO HOUSING MANAGEMENT STRUCTURE AND THE EMB

1. Purpose of the report

- 1.1 The purpose of this report is to clarify the new housing management structure and the relationship with the EMB, and to agree the proposals in paragraph 3.2. and 4.2

FOR DECISION

2. Background

- 2.1 The EMB Board voted against the proposals relating to the management arrangements for the EMB which were contained in the Housing Management review paper by the Housing Quality Network. There were concerns that the new structure could potentially marginalise the EMB in its relationship with the TMO.
- 2.2 It was agreed that an alternative proposal would need to be considered, that would be implemented before 16th December when the Neighbourhood Director (North), Richard McCarthy, retires.

3. Proposals

- 3.1 An 'In principle' alternative to the HQN proposal was provisionally agreed at the end of the last EMB meeting, although no formal vote was taken.
- 3.2 The alternative management proposals were that the Lancaster West EMB manager would report at two levels to the TMO.
- i) The direct line management of the EMB manager would be the responsibility of the Director of Housing Management and the supervision meetings would cover strategic issues such as the relationships with the TMO and the Council, including the management agreement and service level agreements; financial planning including budget management; and the implications of national and local policy changes for the EMB.

Grand total	£1,679,000
Existing team	£1,725,000
New team	£1,679,000
Saving	£46,000

All salaries include a 40% uplift for pension and national insurance contributions, and are indicative only.

- ii) Operational matters such as local performance monitoring on rent arrears, voids management, leasehold income collection and repairs, staffing issues and locally based initiatives would be referred to the Head of Neighbourhood Management (North), Isobel Rickard.

3.3 This arrangement would cover the dual purpose of guaranteeing that the EMB would have direct access to the TMO's Executive Team via the Director of Housing Management, as well as ensuring that local operations would be linked to the wider service delivery in the north of the borough. The effectiveness of this proposal would then be reviewed at the end of 2006, in tandem with an appraisal of the service level agreements, which will have been in place for approximately 12 months.

4. TMO support to the EMB

4.1 The TMO is committed to supporting the EMB in its management of Lancaster West. This process has recently been enhanced by the drafting of the above mentioned local service level agreements. We realise that a partnership arrangement with the EMB must be maintained and strengthened to assist it in facing some of the difficult challenges that lie ahead, such as the HRA's financial sustainability and stock option appraisals.

4.2 We would suggest that the monthly EMB Board meetings are alternated between strategic and operational issues. For example the strategic issues would cover Budget management and setting, monitoring of the management agreement/SLAs, challenges facing the HRA, Key Lines of Enquiry for inspection (KLOEs). The local issues could relate to matters such as Youth Outreach work, quarterly performance monitoring, the handyperson scheme, and pest control issues.

4.3 This arrangement would retain the EMB's independence when looking at local initiatives, without the need to have TMO staff present, whilst the strategic meetings would be supported by the TMO's Director of Housing Management and a representative from the Finance department.

Ian Twyford
Director of Housing Management

LANCASTER WEST EMB –29th January 2008

REPORT BY AREA MANAGER

UPDATE ON COMMUNAL HEATING SYSTEMS

1.0 PURPOSE OF REPORT

- 1.1** The attached report and attachments provide an update the Board on progress on improving the energy efficiency of the existing communal heating system and on replacement or improvement of the existing systems.
- 1.2** The Board are asked to consider the report outlining Edward Pearce & partners (consultants) options and to in particular note the comments in Section 4 of the report.
- 1.3** The Board is asked to provide feedback to their feedback to the report.

FOR INFORMATION

2.0 BACKGROUND & BRIEF DESCRIPTION OF CENTRAL PLANT
2 BACKGROUND

- 2.1** In the summer of 2007 the Tenant Management Organisation (TMO) commissioned Consulting Engineers, E.A. Pearce & Partners Ltd. to carry out a central plant condition survey to covering all properties in the Borough for which the Council has a repairing obligation within the Housing Revenue Account.
- 2.2** The attached report summarises the consultant's report on options for the communal heating systems on Lancaster West Stage 1 and Stage 3.
- 2.3** Section 4 of the report refers to the current review and prioritisation process of the Capital Programme including reference to the impact of external constraints.

FOR INFORMATION

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA**OVERVIEW AND SCRUTINY COMMITTEE ON HOUSING,
ENVIRONMENTAL HEALTH AND ADULT SOCIAL CARE –
24 JANUARY 2008****REPORT BY THE CHIEF EXECUTIVE OF THE TENANT MANAGEMENT
ORGANISATION****COMMUNAL HEATING FEASIBILITY STUDIES - LANCASTER WEST
ESTATE****1 INTRODUCTION**

- 1.1 At the OSC Committee meeting on 14 November, the TMO Chief Executive was requested to present the Consultant's report on options for the communal heating systems at the Lancaster West Estate to the OSC Committee meeting on 24 January 2008. The purpose of this report is to present those findings.
- 1.2 The Lancaster West Estate (Stages 1 including Grenfell Tower and 3) is among a group of five large communal heating schemes which are considered to be particularly in need of work to improve reliability and energy efficiency. Feasibility inspections have been carried out on these systems to establish what is required, the priorities and the likely estimated cost. Draft reports on their findings have been prepared by the consultant.
- 1.3 As reported to the OSC Committee on 19 September, there are considerable future pressures on HRA Capital Programme Funding and the TMO will need to prioritise work very carefully in future years.

2 CURRENT POSITION

- 2.1 The consultant has issued revised draft reports for Lancaster West Estate 1 and 3. These are attached as appendices 1 and 2.
- 2.2 Having considered a number of options, the consultant identified the following alternatives:
 - 2.2.1 Retain the existing communal system without change. The consultant advised that the central plant is in good condition for its age and, provided that it is well maintained, it could be kept in operation for a further 5 to 10 years. There would be no initial capital cost for this option. However, the system is not energy efficient as poor control of temperature within flats has an adverse effect on energy consumption and residents have to open windows in order to dissipate excess heat.
 - 2.2.2 Improve the existing systems by installing in each dwelling a time switch controlled valve to regulate the duration that heat is available, a thermostat operated valve to regulate the amount of heat and insulation to

the hot water storage cylinder to reduce heat loss all at an estimated cost of £2.25m inclusive of fees and staff charges. Although this option would give residents better control over temperature within their dwellings, it would not make them financially accountable for the energy they consume. The proposed changes would make the system more energy efficient. Energy costs would only be reduced if residents used the new controls effectively. The installation work would cause some disruption to residents as access would be required to their dwellings.

- 2.2.3 Remove the central boiler plant and distribution mains and install individual heating systems with combi boilers and new radiators in each dwelling at an estimated cost of £12.13m inclusive of fees and staff charges. Installation of individual heating systems would cause major disruption in each dwelling. However, each resident would have control over the time and temperature of their heating system and would be directly responsible for the energy cost. Leaseholders would need to agree to variations of their leases.
- 2.2.4 The green options were included in the report but were not recommended for detailed consideration or costing.

3 LEASEHOLDERS

- 3.1 It will be necessary in due course to obtain copies of the various leases that are in force for properties on the estate and investigate the position with regards to the recharging of leaseholders for the work. We would however note at this stage that all of the options would seem to contain a large element of improvement. Consequently it is likely that a significant proportion of the cost will not be recovered from the leaseholders.

4 CONCLUSION

- 4.1 The works undertaken and the prioritisation between estates will be influenced by:
 - 4.1.1 The funding available;
 - 4.1.2 The reliability of the heating system on each estate;
 - 4.1.3 The current level of heating provided on each estate; and
 - 4.1.4 Energy efficiency
- 4.2 The TMO Property Management Committee is currently conducting a review to determine the work that will be included in the Capital Programme over the next few years. The review is taking into account recent announcements from the DCLG and the Mayor for London about the level of funding that will be available to RBKC, the information arising from the 5 no. reports that are being prepared by Edward Pearce and Partners and other stock condition information regarding roofs, windows, internal fittings etc. A decision on the extent of the work that should be undertaken to the Lancaster West heating systems will be taken as part of that process.

FOR INFORMATION

HELEN EVANS

Chief Executive Tenant Management Organisation

Officer Contact

Mr Gareth Ebenezer, Governance Services, The Town Hall, W8 7NX (Tel: [REDACTED]
[REDACTED]) Email: gareth.ebenezer@rbkc.gov.uk

Appendix 1

Draft Report from Edward Pearce and Partners on Lancaster West 1 Estate

Lancaster West Estate Stage 1 – District Heating Scheme

Executive Summary

Based on the results of the surveys and subsequent system analysis for the Lancaster West Stage 1 site, if "tenant energy consumption accountability" is given a high priority it is recommended that in order to make each individual tenant responsible for the energy costs of their respective property then Option 5 (Combi-Boilers) should be implemented

If "tenant energy consumption accountability" is given a lower priority and "capital cost" given a higher priority then the recommendation would be to implement Option 2 and upgrade the existing system to include a time-switch operated solenoid valve and a thermostat operated control valve in the heating supply to each residence and improvements made to the thermal insulation of the HWS cylinders.

Renewable energy options such as heat pumps, combined heat and power, solar collectors, wood chip burners, etc, are not deemed cost effective in this instance due to their high capital cost and long pay-back periods

Whichever option is selected by TMO, given the extent of the work required, it is recommended that a Tender Package be produced to cover the works. The Contract should be placed so that the successful contractor can establish themselves on site, procure all equipment and prefabricate pipework, prior to draining down and commencing work in May when heating should no longer required.

The remedial works should operate on a riser by riser basis along the length of the Low Rise buildings until all work in the residences is completed before the heating season commences. Similarly, each of the six risers in the high rise building (Grenfell Tower) should be carried out in sequence

If sufficient resources can be applied then more than one riser at a time could be worked on. If necessary, the work could be spread over two summers

Appendix 2

Draft Report from Edward Pearce and Partners on Lancaster West 3 Estate

Lancaster West Estate – Stage 3 – District Heating Scheme

Executive Summary

Based on the results of the surveys and subsequent system analysis for the Lancaster West Stage 3 site, if "tenant energy consumption accountability" is given a high priority it is recommended that in order to make each individual tenant responsible for the energy costs of their respective property then Option 5 (Combi-Boilers) should be implemented

If "tenant energy consumption accountability" is given a lower priority and "capital cost" given a higher priority then the recommendation would be to implement Option 2 and upgrade the existing system to include a time-switch operated solenoid valve and a thermostat operated control valve in the heating supply to each residence and improvements made to the thermal insulation of the HWS cylinders

Renewable energy options such as heat pumps, combined heat and power, solar collectors, wood chip burners, etc, are not deemed cost effective in this instance due to their high capital cost and long pay-back periods.

Whichever option is selected by TMO, given the extent of the work required, it is recommended that a Tender Package be produced to cover the works. The Contract should be placed so that the successful contractor can establish themselves on site, procure all equipment and prefabricate pipework, prior to draining down and commencing work in May when heating should no longer required.

REPORT BY AREA MANAGER

1.0 Purpose of the Report

This report presents the annual performance monitoring results for October – December 2007.

FOR COMMENT/INFORMATION

2.0 Background

2.1 The attached report details the performance of the EMB in key business areas for the year 2007/08. The performance is detailed in the following format:

- Performance over the last 5 quarters
- A “traffic light” indicator showing whether the performance is good (green light), if there is room for improvement (amber light) or a cause for concern because of a significant decline in performance or underperformance (red light).
- A brief narrative description of the reasons for improvement or deterioration in performance and any new strategies for improvement.

3.0 Comparison with Boroughwide Performance

3.1 As requested by the Board the performance data also includes direct comparison to be made with the Boroughwide Performance.

3.2 The Board is invited to comment upon the report.

**Damian Donnelly
Area Manager**



LANCASTER WEST E.M.B. – 29th November 2007

REPORT BY AREA MANAGER

EMB ANNUAL GENERAL MEETING 2008

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is for the committee to agree the provisional agenda items and resolutions to be considered by the EMB Annual General Meeting 2008.

FOR DECISION

2.0 INTRODUCTION

- 2.1 The Annual General Meeting of the Lancaster West Management Association (LWMA) this year will be held on Tuesday 26th February 2008 at 7.00pm.
- 2.2 The AGM will be held at the St Clements Community Centre, Sidar Road, W11.

3.0 NOTIFICATION TO MEMBERS

- 3.1 The Constitution states that the meeting shall be convened by at least 14 days' notice in writing posted or delivered to every member at the address recorded in the register of members.
- 3.2 However, the Constitution also states that nominations for election to the committee must be invited by writing to all members not later than 24 days before the date set for the AGM. Nominations must be received no later than 14 days before the AGM.
- 3.3 It is therefore proposed that both the notice of the AGM and the invitation for nominations are sent out by 1st February 2008.

4.0 ELECTION OF BOARD MEMBERS

- 4.1 It is proposed that in accordance with Rule33 (Rules of Lancaster West Management Association Limited) one third of the members of the Board or a number nearest to one third shall retire. Those who retire shall be those who

have served the longest. All retiring members shall be eligible to stand for re-election. Those members who have currently served the longest are:

Dr Arkas

Francis O'Connor

Marcia Levy

Robert Bryans

- 4.2 It should be noted that the EMB Constitution makes provision for up to 15 Elected Board Members. The current complement of elected Board Members is 10. However, 1 serving Board member has indicated his intention to resign from office at the end of this year and 1 other Board Member resigned during the year.

- 4.3 Subject to Rule 35(c) the following co-opted members have served their co-option period and are eligible for further co-option:

Ms Dee Dainton

Ms Geraldine Lord

- 4.4 At a Board Meeting following the AGM the Board may decide on further co-option and on who should be granted voting and non-voting rights.

- 4.5 In total up to 8 vacancies will exist for which nominations are sought.

5.0 AGENDA ITEMS

- 5.1 It is proposed that the business be limited to the matters required under the Constitution and the Management Agreement.

- 5.2 It is therefore recommended that the provisional agenda comprise the following items:

Welcome and Introduction

Approval of the Minutes of the 2007 AGM

Approval of the Accounts and Auditors Report

To consider and if thought fit pass the following resolution:

“The Lancaster West Management Association wishes to continue to manage the Lancaster West Estate under the

terms of the Management Agreement with the Royal Borough
of Kensington & Chelsea dated 1st August 1993.”

To consider and if thought fit pass the following resolution:

“To amend the constitution to enable resident co-optees to be included
in the count towards achieving at Board meetings.

Appointment of an Auditor

FOR DECISION

**ESTATE MANAGEMENT BOARD
LANCASTER WEST**

MINUTES OF MEETING

TITLE OF MEETING **EMB – BOARD**

Date: Thursday 27 November 2007

Venue: North Kensington Resource Centre.

Present:	1. Robert Bryans (RB)	Board Member (Chairperson)
	2. Dr Evan Arkas (EA)	Board Member
	3. Geraldine Lord (GL)	Board Member
	4. Roslyn Sylvester (RS)	Board Member
	5. Iris Wong (IW)	Board Member
	6. Robert Regan (RR)	Co-optee
	7. Paul Steadman (PS)	Co-optee
Officers in Attendance	8. Damian Donnelly (DD)	Area Manager – EMB
	9. Jan Jones (JJ)	Estate Officer

Apologies:	Jayne Woods	TMO Financial Controller
	Teresa Miles	Board Member
	C'lr Judith Blakeman	Board Member
	Keith Miles	Board Member
	Francis O'Connor	Board Member

	<u>ACTION</u>
1.0	<u>Minutes of previous meeting 30 October 2007</u>
1.1	DD. Noted that Item 5- Any Other Business should have been presented as Part B and should not have been discussed where an outsider was present. EMB
1.2	Also noted that the notes should be abbreviated and seen for members only.
1.3	Accuracy agreed
2.0	<u>Matters arising</u>
2.1	DD had a meeting with the Community Education this week. Advert will be going out for a senior youth worker in Jan/ Feb 08. When appointed the EMB rooms will be in use again. At present Rugby Portobello Trust are still using the facility. They will also be setting up a youth forum. EMB
2.2	It was also agreed that a local play strategy needs to be discussed and agreed upon at the next board meeting
3.0	<u>Monthly EMB Budget Reports</u>
3.1	A complaint from Board members about the presentation of these figures i.e. the font being too small. DD to chase Finance to make the tables more readable for the next meeting DD
3.2	DD - under spend on staffing. Eddie Ackwerh is retiring [REDACTED] 1 member of staff will be on maternity leave. Any costs on temp staff is off set on the savings on salaries.
3.3	RB - EMB should not have to pay for temp staff as the TMO has seconded their staff to the EMB. We may feel if the TMO do not pay for staff then we can employ staff and the TMO reimburse us the salary
3.4	DD – To clarify this issue we are asking the TMO to pay for cover for sickness leave that we are paying with temp staff. Temp staff spending £6,000 up to the end of March 2008. Suggested that Jayne Woods could discuss this issue at the next meeting. JW
3.5	DD- Main variances. Over spending on Premises Security & Carnival expenses. Leaseholder Services-we pay £12,000 to the TMO to manage these services for the EMB
3.6	RB- Stated that it looks like we are paying twice in one year. Why? DD to look into this DD
3.7	DD- Clothing and uniforms-renewal every 2 years.
3.8	RB – Wondered why we do not amortise the cost. Provisions should be made rather than payments made at one swipe.

<u>ACTION</u>	
3.9	DD – There is no flexibility or scope in this budget. Any savings will be difficult. The Board needs to scrutinize the forth coming budget to see if it will hamper EMB ability to function normally. If it is a deficit budget then it will have to come out of our reserves. We did not contribute £14,000 to Youth Services but this has been taken out of our budget. TMO should ring fence the EMB contribution over a number of years.
4.0	<u>Council Reports relating to the Heating & Hot Water Service</u>
4.1	Request made for a separate briefing due to the non attendance for the New Year. If possible an afternoon briefing.
4.2	Concerns were raised that the figures produced from the audit were real unit assumptions rather than real unit consumption. Lancaster West has been charged the most in the borough. Costs should be apportion across the board
4.3	RR- to provide gas meter readings consumption figures from 1995 -2005.
5.0	<u>Lancaster West Estate Office Xmas Opening 2007</u>
5.1	DD- 3.1 should be amended to 9:00am – 16:30pm. Reception to close at 13:00 on 27 th 28 th & 31 st December 2007. Normal hours from 2 January 2008.
5.2	Agreed by the Board
6.0	<u>AGM Arrangements 2008</u>
6.1	DD- 2.2 – Should we hold it in the EMB club rooms? At no cost to the EMB but the environment may not be good for socialising or we can look around. We have to look at distance and cater for 30 people.
6.2	RB- We need a quorum to address issues that need a vote. We need people to be enthused to get to the venue. We are asking

	people to vote but they need to be encouraged to turn up.	<u>ACTION</u>
6.3	DD- Catering- how do people feel about the quality of the food that we cater. Does anyone know anyone/ Could they contact us by early January 2008 to see what they have to offer.	EMB
6.4	It was suggested that an unofficial Board meeting takes place before the AGM (01/02/08). An informal gathering to welcome residents who want to be on the Board and to thank Board members for their contribution. Invites notices to be put on notice boards. Estate Inspectors to distribute leaflets. Also a social evening between residents and Estate Staff to introduce themselves	
6.5	4.2 – Of the longest standing members of the Board eligible to stand Francis O' Connor will not be standing again. There will be vacancies for 8 people. The Board hope that Marcia Levy will restand.	
6.6	4.3- Co-opted members preparing to stand are GL, PS & RR.	
6.7	5.2-1 st resolution should end as complemented- new modular agreement 2006.	
6.8	5.2- 2 nd resolution as to the election of Board members. You can nominate yourselves and give a brief statement but you have to be physically present at the meeting to be elected to the Board.	
7.0	<u>Report on Proposed Handyman Van Purchase</u>	
7.1	RR presented this report. He also stated that diesel prices are now level with petrol. The Board will think about the issues raised and talk about them in the next meeting in the New Year. Also we need to think about if we are to expand the Handyman Service to neighbouring estates.	EMB
7.2	Other issues to consider are maintenance i.e. contract or as or when arrangement with a local garage.	
7.3	It was decided that RR should present at the next meeting no more than 4 vehicle types & cost with pictures. 2 ½ litre diesel fuel tank and should be able to fit a bath. Two Board members action report for decision at next meeting.	RR

ACTION

8.0 Further Update Companies Act 2006

8.1 Board agreed to endorse these changes.

8.2 It was noted that TMO Board has the use of lap tops for electronic voting. The Board have requested that they too should be provided with lap tops for this provision and funds should be granted from the Council. DD to see if this is possible.

9.0 A.O.B

9.1 GL- complained about pharoah ants and the difficulty Rentokil has in eradicating them

9.2 DD to invite GL to the next Rentokil contract meeting. Rentokil contact needs to be extended after December 2007. There will be invite to all Pest Control Contractors. It should be noted that the company needs to be large enough to be able to extend or operate at a loss without it affecting the service it provides us.

Agreed a correct record

Chair of the Board

The Lancaster West Management Association

Cllr-Blakeman

From: Gary D Chance [REDACTED]
Sent: 13 November 2007 14:43
To: info@helptheaged.org.uk; news@bbc.co.uk; k.buck@rpkn-labour.co.uk; Cllr-Cockell; Cllr-Blakeman; Cllr-Lasharie
Subject: "OAPs 'struggle to pay fuel bills'" question: why doesn't the government pay heating, hot water and water costs in a government managed Estate for those on benefits especially OAPs?

OAPs 'struggle to pay fuel bills'
<http://news.bbc.co.uk/1/hi/uk/7091893.stm>

The Lancaster West Estate in the Royal Borough of Kensington & Chelsea is managed by the government. Benefits cover rent and now service charges. However, heating, hot water and water charges are not covered by Housing Benefits.

These expenses must be paid out of other benefits such as Income Support, Job Seeker's Allowance or Minimum Benefit Guarantee (MBR) for those over 60.

In the case of the Lancaster West Estate with its some 900 units or 9% of the Council's social housing it is managed by several tenant management organisations. Two of these were set up by the Council: the Borough wide Tenant Management Organisation (TMO) and the local Lancaster West Estate Management Board (EMB). There is also a Lancaster West Tenant and Residents Association (TRA) which was set up by the TMO.

These various organisations create a conflict situation with respect to management, but all activities ultimately trace back to the Council since it set up these organisations: EMB in 1995 and TMO in 1996.

This has led to gross mismanagement and maladministration for all these years of which I have been a resident here since May 1996 moving in just after the TMO was started. This has resulted in the excessive increase in energy costs related to heating and hot water. Also, cold water charges are centrally determined and bear no relationship to any flat's individual consumption.

Therefore, these expenses for energy and water are completely out of the control of the individual tenants who cannot in anyway manage their costs.

I cannot understand why these energy and utility costs are not paid from Housing Benefits as are the service charges which apply to overall Estate management. Surely, heating, hot water and water are a direct result of overall Estate management too.

Because the tenants foot the bill for energy costs, those with management responsibility feel that they can do as they please with the costs which occur and let the tenants take care of the problems themselves.

I believe that this government should pay for heating, hot water and water expenses as part of Housing Benefit in situations where the government itself is completely responsible for providing these utility

Freephone: [REDACTED]
www.kctmo.org.uk

Councillor Judith Blakeman
The Town Hall
Hornton Street
London W8 7NX

4th Floor, Charles House
375 Kensington High Street
LONDON
W14 8QH

Direct Line: [REDACTED]

Facsimile: [REDACTED]

Date: 5th February 2007

Our Reference
Dast/ma/cd

Your reference

Please Contact
Gordon Perry

Dear Councillor Blakeman,

Re: Lancaster West Communal Heating and Hot Water System

I am writing in regards to the issues surrounding the communal heating and hot water system which was discussed at the Lancaster West EMB meeting on 30th January 2007. I believe that you still have some reservations about the TMO's replacement strategy for the system and I thought it would be helpful if I clarify our position on this matter.

Following a stock condition survey last autumn, of all communal heating and hot water systems, within the TMO's portfolio, the two systems at Lanc West 1 and 3 were identified as priorities for capital expenditure by 2010. As a result the TMO is appointing consultants to undertake comprehensive feasibility studies for both systems.

Tenders for the consultant's fees have been issued and are due back on the 21st February 2007. Following their appointment the study is expected to be completed within 12 weeks.

An overview of the requirements of the study is as follows:

- Energy efficiency. The Council and TMO are committed to reduce fuel poverty in order to provide affordable warmth. The study will identify the short and long term options available to achieve this.
- A comprehensive analysis of all the options available will be considered including replacement or major works to the existing system, modern Building Management Systems (BMS) for greater control, installation of individual boilers and Combined Heat and Power systems (CHP). No decisions will be taken until such time as the consultants study has been received and discussed with the residents, Lancaster West EMB and the TMO Board. We will obviously work with the Council on this given the level of local concerns and potential cost impact on the Capital programme.

Managing council housing for tenants and leaseholders in the Royal Borough

Chief Executive
Gordon Perry

The Royal Borough of
Kensington & Chelsea
Tenant Management
Organisation Ltd.

Registered Office:
Charles House
375 Kensington High Street
London W14 8QH

Registered in England
& Wales No. 3048135
VAT No. 672 0689 19

MET00040869/350
ME100040869_0330

Residents are being invited to sit on the consultant's selection panel to ensure their views are considered and Lancaster West EMB will be encouraged to be involved.

The TMO attached a 5 Year Capital Programme to the 2007/8 Capital Bid that was submitted to the Council in October 2006, which included for expenditure of £2 million on communal heating in the period 2007/8 to 2009/10. This means that there are provisional funds allocated to heating improvements next year, which this scheme could benefit from if the feasibility study determines it as a priority.

Following the completion of the feasibility study in June, the Capital Programme will be reviewed later in the year to take account the results of the feasibility studies described above, and all other relevant information, including details of other potentially conflicting priorities. A revised version of the Capital Programme will then be included as part of the 2008/9 Capital Bid when it is submitted to the Council in October 2007.

In respect to the existing system, we are committed to its maintenance until such time as any replacement schemes are identified and over the past two years we have carried out works to the value of £201,000, which included major boiler repairs, pump replacements and the replacement of valves within the dwellings of Stage 1, in order to improve energy efficiency.

We are also preparing to replace individual control valves in the dwellings of Lanc West 3 to the estimated value of £110,000 during the summer of 2007, which again will contribute to the efficiency of the plant. In addition, we are commissioning a remote management system which will allow our engineers to interrogate and adjust the central plant controls from our offices to aid optimum efficiency. Recent inspections of the communal pipe work confirm that 98% are correctly lagged, and works are in hand to remedy the remaining. Given the concerns of Lancaster West EMB regarding this issue, my officers will arrange for a joint inspection to ensure that there are no misunderstandings.

I trust this clarifies our position but please do not hesitate to contact me should you require any further information.

Yours sincerely,



Gordon Perry
Chief Executive

25 January 2007

Dear Fiona

I have been trying to make sense of your response to last night's motion – and I now think that we all – you, me, the TMO and the Lancaster West Estate Management Board – have got it wrong about the reason for the 62% increase in heating and hot water charges.

I am going back to first principles and looking at your Key Decision. The Report I have is dated 11 November 2005.

The decision in this report appears to have two separate elements:

1. To change the methodology for the recovery of heating and how water costs to "a methodology that fully recovers the actual cost incurred – by applying estimated costs for the year – based on anticipated utility bill increases" (para. 3.1)
2. "To recover the costs from tenants for the half year from October 2005 to March 2006 over five quarters to spread the burden" (para 5.1.2) "starting with the final quarter of 2005/06 [1st October 2006] and ending in the final quarter of 2006/07 [31st March 2007]" (para 5.1.5.) – "the charges [to] be increased by 23%" (para. 11.3) – and to set up a fund to alleviate hardship.

So the first problem we have is that the recovery was not billed over five quarters to spread the burden, it was billed over only two quarters – from 1 October 2006 to 31 March 2007. This is the basis for your explanation that, as it was not collected from 1 January 2006 but from 1 October 2006, the sum recovered had to be increased to 62%, which you said was the increase of 31% applied over six months.

However, I would argue that the increase to be applied over six months should have been 46% (i.e. twice the agreed 23%), not 62%. The TMO has doubled the figure of 31% without acknowledging that the 31% is made up of two separate elements – the 23% necessary to recover the 2005/06 shortfall and the 8%, which was the normal annual increase to be applied from 1 April 2006.

This is the source of the "stealth" increase to which I referred. The 8% increase should not have been backdated to 1 January 2006 as it did not become due until 1 April 2006.

The 23% increase is a one-off, time limited payment to recoup the 2005/06 shortfall. It terminates on 31 March 2007 and this therefore begs the question that I asked at the end of my speech – to which I did not expect an instant reply.

If the increase to be applied from 1 April 2007 is assessed at 9%, will this be 9% of the 2005/06 rate plus 8%, or will it be 9% of the 2005/06 rate plus 62%?

I would argue that it should be 9% of the 2005/06 rate plus 8% - because the 23% increase is a one-off, time limited payment that terminates on 31 March 2007.

Thus it appears that the TMO have over-charged tenants:-

- a) by backdating the 8% increase to 1 January 2006 instead of to 1 April 2006; and
- b) by imposing an increase of 62% from 1 October 2006 instead of an increase of 46% from 1 October coupled with an increase of 8% backdated to 1 April 2006.

In addition, the decision to spread the payment of the shortfall over two quarters rather than five quarters has caused tenants serious distress and the TMO should apologise for this. It should have applied the 23% increase from 1 January 2006 and not left it until 1 October 2006. It would still have been a massive increase for the tenants, but not quite so harsh as an increase of 62%.

Clearly someone will have to check the accuracy of this submission. However, I think some of us should also get together on a face-to-face basis to thrash this out once and for all.

If I am correct, then the TMO has over-charged tenants throughout the Borough. And again, if I am correct, the charges to be collected from 1 April 2007 will in fact be lower than the current charges (i.e. an increase of 9% of the 2005/06 rate + 8%).

The Lancaster West Estate Management Board is meeting on 30 January and it needs a response to these points in time for that meeting – since it has some serious decisions to take.

I hope that this will be possible and I look forward to hearing from you.

Best regards

Judith

www.hmrc.gov.uk/worksheets/sa106-notes.pdf

07

COUNCIL MEETING 24 JANUARY
LANCASTER WEST HOT WATER AND HEATING CHARGES

Mr. Mayor, this motion has been placed on the agenda because of the need for detailed comments on the Cabinet Member's response to the petition from the Lancaster West Residents' Association set out earlier on this agenda. As Cllr. Mrs. Buxton acknowledges, this is a very complex issue and unfortunately her response does not address all the issues that the Estate's residents raise with her.

I understand that this motion is recommended for refusal on the grounds that it is a technical matter that is properly the responsibility of the Tenant Management Organisation. I beg to disagree and will demonstrate that, not only is it not just the responsibility of the TMO, but also that one of the issues raised through the petition is a matter that affects all of the TMO's tenants and leaseholders in the Borough. My colleague Councillor Atkinson will then give you a picture of the effects that this crisis situation has had on residents of the Estate.

I have two key areas to highlight – firstly, the figures used to justify the massive increases in heating and hot water charges – and this is the issue that affects all TMO properties in the Borough – and secondly, the responsibility that the Borough bears jointly with the TMO for the appalling condition of the district central heating systems that serve all parts of the Lancaster West Estate other than Verity Close.

A third area that merits consideration is the effect that this crisis on Lancaster West will have on one of our targets in the Local Area Agreement and the aspirations in our Environment Strategy.

Firstly, in her the Key Decision the Cabinet Member stipulated a 23% increase in central heating and hot water charges to go towards recouping the 2004-05 underpayment. This additional 23% was to be paid over five quarters, commencing in January 2006 and it will therefore cease from April 2007. The Key Decision specifically **excludes** the recovery of any shortfall from the first six months of the previous year. To this 23% was then to be added the 8% annual increase to take account of increased utility prices imposed in July 2006, making a total increase of 31%.

However, the TMO then seriously misinterpreted and mis-applied this Key Decision. Rather than the time limited total increase of 31%, the TMO implemented a total increase of 62% - an increase that also backdates the 8% increase accounted for by the **July** 2006 increase in the contract with the utilities supplier to **January** 2006 – a further 4% stealth increase not justified by the circumstances and not acknowledged by the TMO.

Similarly, the TMO disregarded the Cabinet Member's decision only to recoup 6 months' worth of the underpayment by doubling the agreed increase of 31%. Thus careful scrutiny of the figures reveals that, rather than the unauthorised 100% of the previous year's underpayment, the TMO will in fact recover 100% of the previous year's underpayment **plus** the additional stealth increase. This is either very sharp practice or very poor accounting.

Both the Lancaster West Estate Management Board and I have repeatedly asked for an explanation of why the TMO did not honour the Cabinet Member's Key Decision but none has been forthcoming. This is a matter that must be made transparent and revealed to the Council as part of the Council's monitoring of its Service Level Agreement with the TMO.



45-47 Praed Street, Paddington, London W2 1NR
Telephone: [REDACTED] Fax: [REDACTED]

Secondly, the extreme inefficiency of the district central heating plant is in part responsible for the disproportionately inflated heating and hot water charges at Lancaster West. The boilers, pipework, radiators and valves are all well past their economic lifespan. A great deal of heat energy is lost through poor insulation, particularly of the distribution network. Additionally, the thermostats on the boilers are set permanently on full so that they never trip. This is because if they did trip, they may not restart, so the boilers are running flat out all day and all night.

This means that residents are not just paying for the energy that they actually need and use, but also for all the heat that is just being pumped straight out into the atmosphere. If the residents were required only to pay for the heating and hot water charges that relate genuinely to their usage, then their charges would be considerably less than they currently are.

Yes, there is a government requirement that tenants and leaseholders pay in full for their energy usage – but the government *doesn't* require them also to pay for the energy that they don't use – so why shouldn't the TMO as a *whole* meet those extra costs? At least this would spread them more equitably across the patch. It is not the fault of Lancaster West residents that this situation exists.

And this wanton waste is anyway not just due to the age of the system but also to poor and inadequate maintenance over very many years – dating back to the time when the Borough was the landlord of the Estate. So why shouldn't both the Council *and* the TMO as a whole meet the costs of the wasted energy?

Cllr. Buxton promises us some tinkering at the edges in the hope that this will enable the system to limp on for the next three years – when the Estate may, but probably won't, get a new system installed. As Cllr. Buxton admits, this will be phenomenally expensive. We suspect that it will be *prohibitively* expensive.

We do not believe that it is fair or equitable to expect the tenants and leaseholders to pay for a new plant through their contributions to the Housing Revenue Account. This is capital expenditure necessary due to the passage of time and exacerbated by poor maintenance by both the Borough and the TMO. This Borough has millions of pounds in its reserves – allegedly kept there for a rainy day. The need urgently to install a completely new district heating system on the Lancaster West Estate must be seen as a very rainy day indeed and the Borough should be taking immediate steps to get the necessary permission to use some of these reserves for this purpose.

So while we applaud the efforts of the Borough and the TMO to lobby government about fuel poverty, it is disingenuous of Cllr. Buxton to write to the Minister and say that this Borough aims to achieve optimal energy efficiency standards for our tenants and is on course to meet the local target of bringing all our housing stock up to the *Decent Homes Standard* by 2008. Clearly, the plant at Lancaster West certainly does not meet optimal energy efficiency standards and the homes it serves will not meet the *Decent Homes Standard* of thermal comfort through central heating individually programmable and effectively insulated to prevent waste by 2008.

Thirdly, this problem will not help us to meet the overall aims of the Local Area Agreement to improve the quality of life for local residents, particularly those living in our most deprived communities, or to reduce poverty. It won't help us to meet Outcome 13 to improve the attractiveness of social housing estates north of Notting Hill Gate. "Attractiveness" is not just a matter of the physical environment but also a matter of people's everyday experiences of living in those estates. This problem is also in conflict with our Environment Strategy aims to

demonstrate leadership in promoting energy efficiency in the Borough and to decrease the energy consumption of the Borough's highest energy consumers.


So to sum up, Mr. Mayor:

- These increases have had a disproportionate effect on the residents of Lancaster West Estate
- They have been inaccurately calculated yet every attempt to get an explanation has been met with obfuscation and a total lack of transparency
- The Cabinet Member has a responsibility to explain why the TMO did not act in accordance with her Key Decision; she also has a duty to tell us why she didn't challenge this when it was brought to her attention
- She has a responsibility to all TMO residents of the Borough to explain why they have been duped with an increase of 62% when they should have been paying an increase of no more than 31%
- The Cabinet Member says optimistically that the current Lancaster West plant has a life of a further three years and the cost of replacement will be phenomenal
- The Cabinet Member must also give a better explanation of what will happen at the end of this alleged life expectancy. The promised feasibility study must include accessing capital funding, not just whether a communal or an individual system should replace it.
- The Cabinet Member will say that these are technical matters that are not her responsibility. They are her responsibility. She has a responsibility to ensure that the TMO meets the standards in its Service Level Agreement with the Council; currently it is not meeting those standards

And finally, I understand that the draft Housing Revenue Account Rent Report recommends a further increase for 2007-08 of around 9% with a possible top up later in the year. I would be grateful if the Cabinet Member will confirm that this 9% has been calculated **after** the removal of the 23% that was specifically allocated for five quarters only to recoup the previous year's underpayment.

I urge you to support this motion.

Email

 Print

From: "Gordon Perry" <gperry@kctmo.org.uk>

To: [REDACTED]

CC: "Redmond Lee" <rlee@kctmo.org.uk>; "Ian Twyford" <itwyford@kctmo.org.uk>;
Gerald.Wild@rbkc.gov.uk

Date: Sep 11 2006, 03:27 PM

Subject: RE: Lancaster West Heating and Hot Water
Charge Increases[Show full header](#)

Dear Cllr. Blakeman,

I have little to add I am afraid. Board were as concerned as you are but we are very limited about what we can do. The hardship fund the Council will be developing with us will only deal with people in crisis and is not a general solution. They were concerned about the trend of significant increases and asked for us to highlight the issue with Government, and launch a campaign about fuel poverty. We will also produce a leaflet to send out to all residents at the end of the month with the actual new charge they need to pay, which will remind them of benefits they may be entitled to (although non cover fuel of course) This will obviously be a longer term issue which we need to work with the Council on, and I intend to highlight with our local MP's.

I hope this clarifies things from our end.

Gordon

From: [REDACTED]

Sent: 08 September 2006 17:45

To: Gordon Perry; Redmond Lee

Subject: Re: Lancaster West Heating and Hot Water Charge Increases

Dear Mr Perry

I would be grateful for an update on this impending problem I understand it was discussed by the TMO Board

Many thanks

Cllr Judith Blakeman

> Message Received. Sep 04 2006, 12:18 PM
> From: Gerald.Wild@rbkc.gov.uk
> To: [REDACTED]
> Cc: gperry@kctmo.org.uk, rlee@tmo.org.uk
> Subject: Re: Lancaster West Heating and Hot Water Charge Increases
>
>

> Dear Councillor Blakeman,

>

> As you know Lancaster West is managed by the EMB with services provided by the TMO. The increases in heating and hot water charges are necessitated by rising fuel costs. A case of passing on increased charges by the utilities. I do not know if they impact disproportionately on any particular estate or location. The TMO may be able to do this analysis but even if this were the case I am not aware of an argument for the Council to subsidise utility charges in general or, why there might be a case for doing so in a particular location. I have agreed with TMO that we will lobby on the question of how these increases impact on low income households but I am afraid I am not optimistic that this will offer a solution, at least in the short term. It may be that if high levels of hardship are experienced regionally or nationally that the government may introduce additional benefit payments to cover all or some of the costs. However, to my knowledge nothing of this kind is currently planned. I do not therefore think it appropriate that the Council undertakes an independent review.

>

> Where cases of hardship arise the TMO will explore ways of helping households e.g. through

payment plans, advice on more efficient fuel use etc.

>

> I have copied Gordon Perry and Redmond Lee into this response in order that they can provide more detail on how hardship cases will be managed.

>

> Yours sincerely

>

> Gerald Wild

>

>

> *****

> The Royal Borough of Kensington and Chelsea

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> -----Original Message-----

> From: [REDACTED]

> To: Wild, Gerald: HHASC-Housing

> CC: Cllr Atkinson; Cllr-Lasharie

> Sent: Sat Sep 02 11:13:37 2006

> Subject: Lancaster West Heating and Hot Water Charge Increases

>

> Dear Mr. Wild

>

> We understand that massive increases in heating and hot water charges are being proposed for the Lancaster West Estate, where the charges are already the highest in the Borough.

>

> As Notting Barns Ward councillors, we are particularly concerned about their impact on vulnerable and low income families and individuals. Of particular concern is the fact that Lancaster West has a very high proportion of families and individuals on benefits, which will not cover these charges.

>

> The case for addressing fuel poverty and energy inefficiency issues on Lancaster West may therefore be even more compelling than elsewhere and clearly merits an urgent independent review.

>

> We look forward to receiving your response to this request.

>

> Yours sincerely,

>

> Cllr. Judith Blakeman

> on behalf of the Notting Barns Ward Councillors

>

>

>

>

>

>

Email

 Print

From:	[REDACTED]	
To:	Cllr Blakeman@rbkc.gov.uk	
Date:	Sep 02 2006, 11:35 AM	
Subject:	FW: Lancaster West Heating and Hot Water Charge Increases	Show full header

> Message Received: Sep 02 2006, 11:13 AM
> From: [REDACTED]
> To: Gerald.Wild@rbkc.gov.uk
> Cc: Cllr Atkinson@rbkc.gov.uk, Cllr Lasharie@rbkc.gov.uk
> Subject: Lancaster West Heating and Hot Water Charge Increases

> Dear Mr. Wild

> We understand that massive increases in heating and hot water charges are being proposed for the Lancaster West Estate, where the charges are already the highest in the Borough.

> As Notting Barns Ward councillors, we are particularly concerned about their impact on vulnerable and low income families and individuals. Of particular concern is the fact that Lancaster West has a very high proportion of families and individuals on benefits, which will not cover these charges.

> The case for addressing fuel poverty and energy inefficiency issues on Lancaster West may therefore be even more compelling than elsewhere and clearly merits an urgent independent review.

> We look forward to receiving your response to this request

> Yours sincerely,

> Cllr. Judith Blakeman
> on behalf of the Notting Barns Ward Councillors

Freephone Lanc West: [REDACTED]

Freephone:
www.kctmo.org.uk

Kensington
& Chelsea



MR K MILES.
[REDACTED]

Direct Line: [REDACTED]
Fax: [REDACTED]
Property Ref: [REDACTED]
Our Reference: RW/SC-2006

Date: 1 September 2006

Dear MR MILES.

Notice of variation of Heating & Hot Water and Water Rates Charges 2006

I write to you to inform you that the TMO will be increasing its service charges for communal heating, hot water and water with effect from 1st October 2006. Unfortunately we have to do this because of the increases in the price of gas, and to reflect the fact that we underestimated the increase in the existing water rates when we calculated them in April.

Heating and Hot Water charges

The cost of providing gas and electricity has increased by amounts varying between 250% and 300% since 2004 and further substantial increases are likely. This increase applies to tenants who receive their heating and hot water via district heating schemes. It does not apply to tenants with individual heating.

The TMO renewed its utility contracts in July 2005 at a price that was 60% above the price of the previous contract. The contracts were renewed again in 2006 at a further increase of 42% above the 2005 annual rate. After due consideration it has been decided to apply an increase to your charges from 1 October 2006 which will average 62%.

Water and Sewerage rates

We have now checked what we are paying to Thames Water and what we are receiving from you in the service charges that you pay with your rent. We have established that the increase applied to accounts in April 2006 is insufficient to meet our costs. Investigations into this showed that the estimated annual inflation increase of 8.78% that was approved and implemented in April 2006 should have been 22.9%. We therefore propose to increase the water and sewage charge by an average of 14.1% to account for this underestimate with effect from October 2006.

The Council and the TMO share the concern that the necessary increases of these costs may cause financial hardship to certain tenants. Officers are therefore investigating how help may be provided in the most financially effective way. Unfortunately, due to escalating energy costs, there is no alternative but to pass these costs on to our tenants.

If, for any reason this may cause you financial difficulties then you must contact your Housing Officer who may be able to provide you with some help, or refer you on to an advice agency.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Redmond Lee', with a circular flourish underneath.

Redmond Lee
Director of Financial Services

Under s48 of the Landlord and Tenant Act 1985 (as amended) the Landlord of your property is The Royal Borough of Kensington and Chelsea, The Town Hall Hornton Street London W8 7NX and is managed by Kensington & Chelsea Council, TMO Ltd, Charles House, 4th Floor, 375 Kensington High St. London W14 8AH