



MINUTE OF BOARD OF MANAGEMENT MEETING

Thursday 14th March 2013 at 10.30am in the Argyll Hotel, Inveraray

Present: -

Bill McIntyre (Chair)
 Norman Beaton (Secretary)
 Michael Brown (Chair FAC)
 Archie Blair
 Councillor Rory Colville
 Stafford Day
 Lorraine Anne Drysdale
 Alex Johnstone
 Gillian Logan
 Marri Malloy
 Councillor Bruce Marshall
 Margaret MacGregor
 Sandra MacKenzie
 Ronnie Martin, (AHFA Board)
 Jim Milne
 John Muir
 Councillor Richard Trail
 Catherine Winton

Not in Attendance

Councillor Iain Angus MacDonald
 Councillor John Semple

In Attendance

Alastair MacGregor, Chief Executive
 Christine Johnston, Director of Housing & Neighbourhood Services
 Linda Haig, Director of Investment & Regeneration
 Colette Benham, Director of Human Resources & Corporate Services
 Nick Pollard, Director of Finance & IT
 Gayle Stead, Governance & Compliance Manager
 Lorna Kerr, PA to Chief Executive

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| 1. | Apologies George Farquhar | |
| | The Chair opened the meeting and introduced Ronnie Martin who is a member | |

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| | of AHFA's Board and was attending the meeting as an observer. | |
| 2. | <p>Minute of Previous Meeting – 7th February 2013 The Board of Management APPROVED the minute as an accurate record subject to the following amendments;</p> <p>Page 5 – Item 10 – heading to be amended to read “Budget 2013/2014” Page 7 – Item 10 - sentence to be amended to advise “ACHA.would be able to continue to offer work experience...” Page 11 –Item 17 - First paragraph amend “they” to “the” Page 11- Item 15 – Fourth paragraph – amend Minute to read “that are hard to heat could benefit from the green deal”</p> <p>Proposed by Catherine Winton Seconded by Councillor Richard Trail</p> | <p>Lorna Lorna</p> <p>Lorna Lorna</p> |
| 3. | <p>Matters Arising</p> <ul style="list-style-type: none"> • Matters Arising Page 2 — Point 4 - the Director of Investment and Regeneration reported that Oban Saints Football Club advised they would find it difficult to pay the annual lease charges and have asked the Board to reconsider. The Board agreed that the Director of Investment and Regeneration should respond to them advising that the rent charge would stand. • Matters Arising – Oban Times article Page 2 - the Chief Executive informed that the Association had received a letter of apology from the writer of the libellous letter printed in the Oban Times. Proposals to pay the Association's legal costs have also been received. • Matters Arising – Rothesay Office Incident Page 2 - the Chief Executive notified that Argyll and Bute Council had advised the gentleman concerned would no longer be permitted to enter the office the Association shares with the Council in Rothesay. Council staff will undertake any interviews with the gentleman in the Police station. Stafford Day asked whether the gentleman would be appearing in Court. The Director of Housing and Neighbourhood Services advised he had been arrested and charged. • Board of Management Conference Attendance Page 9 – Item 12 – Marri Malloy advised she had requested a list of Board members who attended conferences. The Director of Human Resources and Corporate Services confirmed that this information will be included in next month's Board information pack. | <p>Linda</p> <p>Colette</p> |
| 4. | <p>Minute of Finance & Audit Committee – 10th & 23rd January 2013 for Ratification The Board of Management RATIFIED the minute of the Finance & Audit</p> | |

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| | Committee. | |
| 5. | Conflict of Interest to Declare The Chief Executive declared a conflict of interest in Item 8.3 SFHA Renewal of Membership as he is Vice Chair of RIHAF. | |
| 6. | Correspondence The Chief Executive informed on a response received from Rt Hon David Mundell MP on concerns raised by the Association relating to the introduction of the bedroom tax. The correspondence indicates that anyone who is vulnerable will be assisted through Argyll and Bute Council's discretionary housing payment scheme. The Chief Executive pointed out that the amount available for Argyll and Bute Council tenants is only £152,000 and the Association has concerns about applicability. ACHA tenants are affected to the amount of £352,000. | |
| 7. | New Membership Applications The Board of Management APPROVED three new membership applications. | |
| 7.1 | Cancelled Memberships The Board of Management NOTED the contents of the report advising that two memberships had been cancelled. | |
| 8. | Chief Executive's Presentation The Chief Executive gave a presentation covering: <ul style="list-style-type: none"> • Welfare reform • Home Argyll review • The Scottish Government's programme for Argyll and Bute to March 2015 • Visit by the Scottish Public Services Ombudsman CEO, Jim Martin • Visits to Councillors and Community Planning Groups • Regulation Plan meeting with the Scottish Housing Regulator • Ongoing issues <p>A copy of the presentation was distributed to all members in attendance.</p> <p>Marri Malloy asked if there was any further information on West Highland Housing Association joining with the Link Group as it may have implications for Home Argyll. The Chief Executive advised the only information available was from the narrative in a paragraph in West Highland Housing Association's tenants' newsletter from last year. The Director of Housing and Neighbourhood Services added West Highland Housing Association had committed to Home Argyll for another year and were working with the Association as normal.</p> <p>Councillor Colville enquired what the range of reduced payments would be for families affected by the bedroom tax. The Director of Housing and Neighbourhood Services responded that the reduced amount varied from £10 to</p> | |

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| | <p>£18 per week.</p> <p>The Chair of the Finance and Audit Committee asked whether mutual exchanges could be arranged for tenants who wished to downsize. The Director of Housing and Neighbourhood Services informed that tenants are able to use Home Swapper, which is a national facility. She added that ACHA staff were currently visiting all affected tenants and 74 requests to move had been received from tenants already visited.</p> <p>The Chief Executive advised, in response to a question from John Muir, the Board directed the Association to work within the law and alongside the Scottish Federation of Housing Associations to do what it can to make representations on the bedroom tax.</p> <p>Gillian Logan enquired about the definition of a bedroom and asked if the Association could work round this. The Director of Housing and Neighbourhood Services informed that Association staff were currently looking at where properties may be wrongly classified and looking at the size of bedrooms, to see if they should be classed as bedrooms.</p> <p>The Secretary asked if it would be possible to give financial assistance to tenants who wish to move. The Chief Executive advised there was no budget available and if the Association did so it would present enormous challenges and other services would have to be reduced. The Chief Executive said he would study guidance on the Scottish Government fund and if there were opportunities they will be used.</p> <p>Archie Blair asked if there was any indication of how much of the additional £30million may come to Argyll and Bute. The Chief Executive responded that it would be up to the Local Authority to make a case for bidding to the fund.</p> <p>The Secretary asked what was being looked at through the Housing and Neighbourhood Services departmental review. The Chief Executive stated that a range of issues were being considered and a paper would come back to the Board of Management.</p> | |
| 8.1 | <p>Subsidiary Development Monthly Update</p> <p>The Chief Executive talked through his report which reported on work against the timetable to go live on 1st April 2013 with AHFA.</p> <p>Archie Blair pointed out that, with respect to the 5th line in the Summary, the sentence should read that service for mid-market rent is consistent with the Association's charitable rules.</p> <p>The Chair of the Finance and Audit Committee asked if there was an update on the Safety and Plant Manager post. He was advised that a candidate had been interviewed the previous day.</p> <p>The Board of Management NOTED the contents of the Subsidiary Development</p> | |

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| | Update report. | |
| 8.2 | <p>ACHA – AHFA Service Level Agreements</p> <p>The Director of Investment and Regeneration talked the Board through the final versions of the ACHA/AHFA and AHFA/ACHA Service Level Agreements and highlighted changes made since the draft versions were issued previously.</p> <p>The Chair thanked all staff involved for the work put in.</p> <p>The Board of Management APPROVED the draft Service Level Agreements</p> | |
| 8.3 | <p>SFHA Membership Renewal</p> <p>The Chief Executive left the meeting for this item due to a conflict of interest.</p> <p>The Secretary highlighted the political work carried out by the SFHA on behalf of housing associations. He suggested that senior officers from the SFHA be invited to attend a future meeting to advised the Board on the work they do.</p> <p>The Secretary advised, in response to a question from Jim Milne, that the SFHA represents housing associations collectively and provides advice on policies and procedures.</p> <p>The Board of Management APPROVED renewal of membership of the SFHA for 2013/14, at a cost of £16,454.00, with the proviso that the Chief Executive or senior managers from the SHFA come along to speak to the Association.</p> <p>The Chief Executive returned to the meeting.</p> | |
| 9. | <p>Lloyds Banking Group Loan Agreement</p> <p>The Director of Finance and IT informed that items 9 and 9.1 were linked and if the Board of Management did not approve the first then the second would be unable to go forward.</p> <p>The Director of Finance and IT talked the Board through his report and the recommendations therein.</p> <p>The Chair asked if Lloyds TSB were happy with the loan agreement amendment. The Director of Finance and IT advised that they had not raised concerns and had a copy of the Association’s business plan to which there is no material change to the business.</p> <p>Councillor Rory Colville commented that with respect to page 4, paragraph 2.6b, this seems to give the Bank a lot of power. The Director of Finance and IT advised the provision was intended to give the Bank the power to intervene if the covenants need to be changed. The Director of Finance and IT further advised that he saw no risk attached to that and as long as the business plan performed the covenants should not be material.</p> | |

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| | <p>John Muir asked what percentage of profit from AHFA would go to repaying the loan. The Director of Finance and IT confirmed that the loan would be repaid at the end of 3 years assuming that the Subsidiary had the resources to do that. The Board of Management would receive that information once the profit made by the Subsidiary was known.</p> <p>The Board of Management APPROVED the recommendations;</p> <ol style="list-style-type: none"> 1. To agree to the amendment of the Lloyds Banking Group (LBG) loan document to allow lending to AHFA, amendment to reflect covenant recalculation following component accounting and tidy up of loan terminology. 2. To agree to comply with all conditions precedent of the loan agreement document. 3. To delegate to the Director of Finance and IT authorisation to conclude the agreement. | |
| 9.1 | <p>ACHA – AHFA Loan Agreement</p> <p>The Director of Finance and IT presented his report and advised that BTO and the Scottish Housing Regulator have reviewed the documents.</p> <p>The Board of Management APPROVED the three recommendations in the report;</p> <ol style="list-style-type: none"> 1. To agree to the offering of the loan on the basis of the loan documentation and terms. 2. To agree to comply with all conditions precedent of the loan amendment document. 3. To agree to delegate authority to ACHA's Director of Finance to conclude the signing of the loan agreement on behalf of ACHA. | |
| 10. | <p>Health & Safety Update</p> <p>The Chair of the Finance and Audit Committee advised he has had to call off from Health & Safety Committee meetings at short notice on three occasions, due to work commitments, and he asked that if anyone was interested in standing in for him at times like that then they should speak to him.</p> <p>Jim Milne asked about contractors' health and safety arrangements while on site. The Chief Executive stated that any contractor working for the Association should have a Health & Safety plan. The Director of Human Resources and Corporate Services briefed on First Aid arrangements in the Association's offices.</p> | |
| 11. | Key Performance Indicators including Directorate Exception Report | |

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| | <p>(attached)</p> <ul style="list-style-type: none"> Human Resources & Corporate Services The Director of Human Resources and Corporate Services talked through the exceptions in her report. She highlighted some complaints were still reported under the old system and are referred to as Stage 3. There were no Stage 3 complaints in the new procedure. Investment & Regeneration The Director of Investment and Regeneration spoke on the items in her exception report. She also notified the Association should be informed after 19th April 2013 if the Association's schemes for Scottish Government funding had been successful. She will report back following this. Councillor Bruce Marshall enquired about the delay to the Ardenslate development. The Director of Investment and Regeneration responded the delay was due to issues with Scottish Water but she was expecting a completion date of 2nd April 2013. Housing & Neighbourhood Services The Director of Housing and Neighbourhood Services presented her Exception Report and advised the only exception to the report was on low demand relets. She also advised that arrears were creeping up as the process is now slightly longer. The Director of Housing and Neighbourhood Services also highlighted that fire awareness training from Strathclyde Fire and Rescue had taken place for the Association's visiting officers. An article on this will be included in the tenants' newsletter. The Director of Housing and Neighbourhood Services agreed to look at the possibility of tailoring low demand strategies to areas. The Chair of the Finance and Audit Committee commented that the way the void re-let information is given is unclear and he would prefer it to be presented in a format similar to the APSR. The Director of Housing and Neighbourhood Services advised that she would look at this. Finance & IT The Director of Finance and IT presented his Exception Report. In response to an enquiry from the Chair, he briefed the Board of Management that the Deeplake project allowed the Association to provide a service to tenants by sending information by text message. Following a question from Councillor Bruce Marshall, the Director of | <p>Linda</p> <p>Christine</p> <p>Christine</p> |
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| | <p>Finance and IT informed that Aon provided the Tenants Home Contents Insurance and the Association received commission for policies.</p> <p>The Board of Management NOTED the contents of the KPI graphical information and directorate exception report.</p> | |
| 12. | <p>FISH Welfare Rights Update</p> <p>The Director of Housing and Neighbourhood Services presented her report and advised that it informed on normal day to day work and mitigation work carried out in relation to the bedroom tax. She briefed on the outcome of tenant visits and informed that following these the up to date figure for the number of tenants affected by the bedroom tax now appeared to be just under 600.</p> <p>The Director of Housing and Neighbourhood Services also informed on the questionnaire included in the report and advised it is not sent out by mail but used in face to face interviews.</p> <p>The Director Of Housing And Neighbourhood Services advised the Association believed that tenants on Job Seekers Allowance would be affected most and representations have been made to the Council relaying the Association's concern with priorities for discretionary housing payments.</p> <p>Gillian Logan enquired if the Association had many tenants with special needs who would be affected by the bedroom tax. The Director Of Housing and Neighbourhood Services advised that there was not have many and we do not have many tenants who are foster carers either who are affected by the bedroom tax.</p> <p>The Director of Housing and Neighbourhood Services confirmed, following a question from Councillor Bruce Marshall, that ACHA tenants could take in a lodger. Association staff will give advice on that as sometimes to do so can leave tenants in a worse position financially.</p> <p>Archie Blair asked if tenants will be given assistance to apply for benefits online if they cannot use a computer or do not have access to one. The Director of Housing and Neighbourhood Services informed that there are problems with firewalls when using Association computers but work is taking place with the Council to develop a list of public access computers.</p> <p>The Board of Management NOTED the FISH Welfare Rights – Bi-monthly report.</p> | |
| 12.1 | <p>Bedroom Tax Discussion Paper</p> <p>The Director of Housing and Neighbourhood Services talked through the recommendations contained in the Summary Paper – Bedroom Tax report and updated on actions taken.</p> <p>She advised that the Association had lobbied the Council with respect to prioritising tenants on Job Seekers Allowance for discretionary payments.</p> | |

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| | <p>ACHA has also put forward the case for quotas to be increased or removed for transfer cases to the Home Argyll Steering Group. There will be statutory consultation and information will come back to the Board of Management.</p> <p>The Association's Policy Committee approved the new Arrears Management policy last month.</p> <p>The Director of Housing and Neighbourhood Services also confirmed the Association would not take court action against a tenant for £50 or 5 weeks rent arrears.</p> <p>Catherine Winton asked if there was leeway with respect to the bedroom tax where separated parents had joint access to children. The Director of Housing and Neighbourhood Services advised that related to legal custody arrangements and there were very few cases where there was joint custody; generally one parent has custody, with the other having access.</p> <p>Archie Blair asked what happened if a tenant was evicted for non-payment of rent. The Director of Housing and Neighbourhood Services responded they would be considered for homelessness by Argyll and Bute Council who may have a duty to assist. She confirmed the Association would not re-house the tenant immediately.</p> <p>The Director of Housing and Neighbourhood Services confirmed that decisions on the third and fourth recommendations had already been made by the Policy Committee after consultation and no decisions were required from the Board of Management.</p> <p>The Board of Management NOTED the Summary Paper – Bedroom Tax</p> | |
| 12.2 | <p>Gypsy Travellers Strategy Action Plan</p> <p>The Director of Housing and Neighbourhood Services presented the Gypsy Travellers Strategy Action Plan, which was linked to previous consultation, for information and comment. She also informed the Scottish Parliament had asked for a copy of the action plan following presentation of evidence by the Association at Holyrood.</p> <p>The Chair Of The Finance And Audit Committee commented that he was surprised at the engagement and high response from the gypsy traveller community and suggested the method used could be developed in other consultations. The Director Of Housing And Neighbourhood Services informed that compact discs had been used as there was awareness there was a lower level of literacy within the gypsy traveller community.</p> <p>Jim Milne enquired on the timelines for gypsy travellers remaining on site and the Associations' policy regarding them leaving and returning. The Director of Housing and Neighbourhood Services advised that a lease is given for a pitch on the site, which is not time limited. If they leave the pitch it will be reallocated and if they wish to come back they would go onto the waiting list for a pitch.</p> | |

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| | <p>Marri Malloy noted the play facilities at the Ledaig site had not been progressed since the site visit three years ago. The Director of Housing and Neighbourhood Services advised that would be dealt with through the action plan to see what can be done. The Chief Executive commented that football goal posts and equipment had been provided at the site through the Community Action Fund.</p> <p>The Board of Management AGREED the action plan for use during 2013.</p> | |
| 13. | <p>Monthly Investment Programme Update The Director of Investment and Regeneration talked through the information contained in her report.</p> <p>She advised that all contract numbers were as expected. She further advised the year-end spend would be adjusted from £19million to £16million due to the removal of roof and roughcast contracts from the current year's programme into next year's programme. The Director of Investment and Regeneration informed the Association may be able to benefit from further grants and she did not want to commit the contracts at this time.</p> <p>The Director of Investment and Regeneration indicated that the Association is on track to meet the 60% SHQS target.</p> <p>The Director of Investment and Regeneration spoke further on exceptions and abeyances relating to the Investment Programme and advised that these are notified through the APSR.</p> <p>The Chief Executive undertook to come back to Councillor Bruce Marshall on an issue in Sandbank.</p> <p>The Board of Management NOTED the Monthly Investment Programme report.</p> | Alastair |
| 13.1 | <p>Land Disposal – Maitland Court, Helensburgh The Board of Management APPROVED the Land Disposal Request at Maitland Court, Helensburgh.</p> | |
| 13.2 | <p>Land Disposal – Muasdale Cottages, Muasdale The Board of Management APPROVED the Land Disposal Request at Muasdale Cottages, Muasdale subject to checking out what the shrine in the photograph is.</p> | |
| 13.3 | <p>Land Disposal – Berryburn, Kames It was noted the plan at the back of the report did not relate to this request.</p> <p>Stafford Day asked for a condition to be included that the land is only used as garden ground.</p> <p>Councillor Bruce Marshall queried the valuation of £2,000. The Director of</p> | |

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| | <p>Investment and Regeneration advised the figure was an estimate and the District Valuer would set the valuation. She further informed the legal steps and formal valuation would only take place after the Board of Management has agreed to progress the estimate.</p> <p>The Board of Management APPROVED the Land Disposal Request at Berryburn, Kames subject to the condition that the land is only used as garden ground being included.</p> | |
| 14. | <p>Staffing List The Board of Management NOTED the staffing list which was presented for information purposes;</p> <p>The Secretary said he had requested the information at the last meeting for information as he felt the Board of Management should approve the staffing structure annually, and that they should receive information on departmental numbers, grades and locations.</p> | |
| 14.1 | <p>SPSO Determination Letter The Board of Management NOTED the SPSO Determination letter.</p> | |
| 14.2 | <p>Performance Indicator and Annual Reporting The Board of Management AGREED to implement the recommendations in the report;</p> <ol style="list-style-type: none"> 1. Board of Management members to discuss and agree content of 2013/14 Board report. 2. Implement new reporting regime from 1st April 2013. | |
| 15. | <p>ICT Contract Extension The Director of Finance and IT talked through his report and advised that although the contract expires on 20th November 2013 a decision is needed on whether to proceed with an extension of the contract or procurement of a new one. If the contract is to be re-tendered that exercise would need to begin now.</p> <p>The Director of Finance briefed on the reasons for his recommendation to extend the contract and advised that the contract has performed well.</p> <p>The Director of Finance then explained that the costing information from the Council had only been received earlier that day and he had not had an opportunity to analyse it. Therefore, he could not confirm the costs were in line with the existing contract.</p> <p>He suggested that the recommendation should be changed to advise the recommendation was subject to the condition the costs are within parameters pro rata to the current costs.</p> <p>The Chief Executive asked that customer care from the Council to the</p> | |

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| | <p>Association should be highlighted in any correspondence back to the Council. The Chief Executive will also highlight this in his next meeting with the Council's Chief Executive.</p> <p>The Board of Management AGREED to extend the ICT contract for the provision of ICT services for a further two years on the condition that the costs are within parameters pro rata to the current costs.</p> | Alastair |
| 16. | <p>A.O.C.B.</p> <p>Schedule 7 Decision Under Urgency</p> <p>The Director of Housing & Neighbourhood Services advised the Schedule 7 had been approved by the Chair and the Chief Executive as a decision under urgency. The Board were advised that a two bedroom property had become available for letting in Kirn. One partner of the applicants qualifying for the offer is the niece of a Customer Services Assistant based in the Dunoon office. The Director of Housing & Neighbourhood Services confirmed the member of staff had played no part in the assessment of the application or was involved in the offer process. The application had been processed by Fyne Homes staff. The Board were advised the connection with the staff member had not been declared on the application form and was not evident at the point of offer. The offer had been made and accepted before the connection to the staff member had become apparent. The Board were also advised that a previous offer of housing had been made to the applicants in August 2012 when a two bedroom property became available for letting at Cowal Place, Dunoon. Again, the Board were advised that the member of staff had played no part in the assessment of the application or had been involved in the offer process. The Board of Management RATIFIED the Schedule 7 Decision Under Urgency.</p> <p>Schedule 7 Decision Under Urgency</p> <p>The Director of Housing & Neighbourhood Services advised the Schedule 7 had been approved by the Chair and the Chief Executive as a decision under urgency. The Board were advised that a one bedroom property had become available for letting in Campbeltown. The applicant qualifying for the offer is the brother of a Customer Services Assistant in the Campbeltown office. The Director of Housing & Neighbourhood Services confirmed that the member of staff had played no part in the assessment of the application or was involved in the offer process. The application had been processed and held by Fyne Homes. The Board of Management RATIFIED the Schedule 7 Decision Under Urgency.</p> <p>Schedule 7 Decision Under Urgency</p> <p>The Director of Housing & Neighbourhood Services advised the Schedule 7 had been approved by the Chair and the Chief Executive as a decision under urgency. The Board were advised that a one bedroom property had become available for letting in Oban. One half of the applicants qualifying for the offer is the nephew of a Customer Services Assistant in the Oban office. The Director of Housing & Neighbourhood Services confirmed that the member of staff had played no part in the assessment of the application or was involved in the offer</p> | |

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| | <p>process.</p> <p>Schedule 7 Decision Under Urgency The Director of Housing and Neighbourhood Services advised that the Schedule 7 had been approved by the Chair and the Chief Executive as a decision under urgency. The Board were advised that a two bedroom property had become available for letting in Taynuilt. The applicant who qualified for the offer is a sister of a temporary Customer Services Assistant in the Oban office. The Director of Housing and Neighbourhood Services confirmed that the member of staff played no part in the assessment of the application and was not involved in the offer process.</p> <p>Welfare Reform work The Chair asked that thanks were noted to the Director of Housing and Neighbourhood Services and David Kelly, Senior Welfare Right Officer, for all the hard work on welfare reform.</p> | |
| 17. | <p>Date & Time of Next Meeting Thursday 11th April 2013 at 10.30am in the Argyll Hotel, Inveraray</p> | |