



MEETING MINUTES

- Purpose of Meeting**
1. Welcome and actions from previous meeting.
 2. Election of Chair and Vice Chair.
 3. Presentation from Sarah Taylor Leasehold Officer.
 4. Any other business.
 5. Update from members.

Date 25th January 2024 1-3 pm 2023

Venue The Hut, Old Ashby Road, Loughborough.

Attendance:

Chair	June Bush	Thorpe Acre Community Association
Members	Janice Wright	Riversdale Court Birstall
	Phil Hudson	Fielding Court Association
	Stuart Wells	Fielding Court Association
	Diane Lockwood	Chapman Street
	John Mason	Arnold Smith House Association
	Craig Jordan	Ashby Road Estate Community Centre
	Yvonne Diamond	Beresford Court Shepshed
	Wayne Bridges	Brook Street Shepshed
	Christopher Hipwell	Selbourne Court
	Trish Edwards	Staveley Court
Wayne Bridges	Brook Street Shepshed	

Guests	Sarah Taylor	Leasehold Officer
	Andrew Everitt-Stewart	Customer Engagement Office
	Helen Kennedy	Customer Engagement Officer

Apologies

Tracey Riley	Chapman Street
Mark Biggs	Thorpe Acre Community Association
Betty Saunders	George Toon Court, Syston
Ireen Kennedy	Park Court
Paul Maine	Chapman Street Garden Association
Christine Maine	Chapman Street Garden Association
Steve Laird	Staveley Court



1. Apologies.

2. Election of Chair and Vice Chair

- Nominations had been requested by email for these positions by Customer Engagement.
- The final nomination for chair was June Bush who was happy to continue in the role as Chair and this was unanimously carried by the forum members.
- Nominations for vice chair were Phil Hudson and Wayne Bridges, the result of the paper ballot was that Phil Hudson was elected to the position by majority vote.
- The Chair thanked members for their re-election, and Customer Engagement for their continued support and welcomed the new vice chair.

3. Presentation by the Leasehold Officer

- The current Leasehold Officer has been in the role for 24 years and with the Council for 35 years.
- Leaseholds are only for Charnwood Borough Council flats and commercial properties.
- On buying the leasehold this is a lease agreement with Charnwood Borough Council and it is for the flat only if residential.

Question: Can you ever completely own the property - *no, only tenants and leaseholders can live in council properties, so they own the lease on the flat but not the actual flat.*

- The Council owns the fabric of the building and so are responsible for the upkeep of this.
- From the front door inwards of the leasehold flat, the leaseholder is responsible for all maintenance and repairs.
- The communal or shared areas of the building are the responsibility of Charnwood Borough Council.
- Leaseholders pay a proportion of all repairs and maintenance in comparison of the building size, therefore if the leasehold flat is one of 4 and the other 3 are council tenants, then the leaseholder would pay 25 percent of the charges.
- Service charge plans are drawn up by Charnwood Borough Council in February of each year. These are estimated charges for the coming year and leaseholders can question these before the final invoices are issued in March. This is a proportion of charges for the whole building depending on what percentage the leaseholder owns. The initial service plan is drawn up for 5 years, and at the end of that if the estimated charges have been overestimated the leaseholder will receive a refund, however if they have been underestimated the leaseholder is not responsible for the short fall.

Question: Is a leasehold for a finite period? – *Yes, normally 99 or 125 years but financial constraints can dictate this.*



Charnwood Housing Residents Forum (CHRF)

- When a property is transferred to a leaseholder an LPE1 form is completed which lists all legal information. Charnwood Borough Council must provide this information to the solicitor dealing with the sale and leaseholders must keep all of this information for future reference. This process is chargeable and can be held up because solicitors don't pay the fee on receipt of the invoice or obtaining information from various teams. Lease holders pay for this service.
- The team is small and work limited hours so sometimes customer service can suffer because of this.
- There are 2 types of leaseholders, those who purchase on a right to buy scheme, or the open market as a private sale, and landlords who buy to sublet. However, these are identical legally.

Question: Do Charnwood Borough Council actively encourage the sale of property to landlords for sublet? – *the council has no control on who a leaseholder decides to sell to.*

Question: Are we in danger of losing council stock if leaseholders are selling on the open market to non-council tenants? – *yes that does happen however Charnwood Borough Council cannot dictate what happens when a leaseholder sells.*

Question: Does the government receive a proportion of leasehold sale funds? – *yes Charnwood Borough Council will also receive a small proportion.*

Question: Could a clause be put into leasehold contracts to stop subletting? – *no, as this would be unethical and would require a law change from central government.*

- An example of an estimated service charge was shown and how the proportional charge works.
- It was explained that whatever the lease states in relation to the service charge is legally binding, and that maintenance and major works are included in this plan.

Question: Are leaseholders required to have property maintenance insurance? – *yes.*

- There are 4 quarterly charges invoiced to leaseholders on April, July, October, and January 1st.
- Leaseholders have the choice to pay in 1 payment, 4 payments and by direct debit. A monthly payment can be arranged with individuals.
- Since June 2022 ground rent has been abolished so any new lease bought after this date don't pay a one off £10 fee each year. This is because landlords were exploiting ground rent, so the government stepped in to curb it.
- At the end of the financial year an actual cost is calculated for leaseholders for their service charge and a certified summary is provided by Charnwood Borough Council, an example was provided and explained, detailing procedure for refunds and debts.
- In the case of major works, Charnwood Borough Council will produce a section 20 declaration that will inform leaseholders of the contractor that will carry out the work. All leaseholders are allowed to submit their own contractors for the work, and these will be considered in the tender process. Leaseholders are allowed at this point to ask questions about the contractors. All information about this process is provided to leaseholders. This would be conducted by asset management at Charnwood Borough Council and once the process is complete and contracts awarded, leaseholders are informed.
- All aspects of this process is governed by constantly changing legislation, however the lease is a legally binding document.



Charnwood Housing Residents Forum (CHRF)

- The leasehold team holds 4 Leasehold Forums a year with leaseholders, plus any extra meetings on specific issues if needed.
- During these meetings specific officers will be invited to talk about the subject, especially for major works. Quotes for all work will be provided by Charnwood Borough Council. Leaseholders are encouraged to find alternative contractors in the interest of fair competition for any planned works, which can save on cost, but these contractors must have the correct accreditation for the specific work needed.
- Fire doors have been a recent issue, and with regulations changing since Grenfell, doors do need updating, enforcement will now be used against non-compliant leaseholders.

Question: How many residential leaseholders are there in Charnwood? – *there are approximately 360 and 19 commercial leaseholds, however we have had recent instances where Charnwood Borough Council are buying them back and so increasing stock.*

Question: Money from leasehold sales was ringfenced, is this still the case? – *the answer was not clarified as this is not dealt with by the leasehold team.*

Question: If a tenant's flat is damaged as a result of a problem in a leaseholder's flat what is the procedure? – *this will be dealt with on an individual basis by repairs.*

Question: Does the leasehold team mediate between leaseholders and tenants? – *no as all leaseholders are technically leasehold tenants and so Charnwood Borough Council officers specific to the issue will deal with this. It was stated that a tenant has an issue with a leaseholder, the leasehold team will investigate this if possible. ACTION*

Question: A leaseholder was previously charged a large amount of money for a small piece of tarmacking, this seemed disproportionate given the number of tenants living in the vicinity. – *Whatever is stated in the lease is legally binding.*

- Sometimes older lease contracts do seem unfair in the eyes of the leaseholders, but they can challenge this if they present a case to Charnwood Borough Council, and this would be assessed. All parties would be required to engage in the process, but there are charges that leaseholders are not always willing to pay.

Question: Are outdoor building and sheds included in leasehold agreements? – *This will always be indicated and detailed in the leasehold agreement.*

Question: There are frequent arguments between leaseholders and tenants about what part of outdoor areas they are responsible for. – *This is a frequent issue but again this is all detailed in the lease agreement.*

4. Any other business: None

5. Updates from residents:

- **Riversdale Birstall:** A successful Christmas party was held, and an event is planned for Easter both using the Community Initiative Fund.
- **Fielding Court Loughborough:** A Christmas meal trip was held to the Toby Carvery using the Community Initiative Fund however this was disappointing,



Charnwood Housing Residents Forum (CHRF)

and the service was poor. An Annual General Meeting for residents is being held on 02.02.24, but they have received a letter explain that the court may be closed. This will be decided at the next cabinet meeting. Residents are understandably upset.

- **Thorpe Acre:** None.
- **Chapman Street:** There is a meeting on 30.01.24 of the Chapman Street Garden Association to discuss arranging an Annual General Meeting and the future. Communication do seem to be breaking down within the association and no work is being carried out. Customer Engagement are helping to promote events and encourage progress.
- **Arnold Smith House:** Residents held 2 very successful events using the Community Initiative Fund, a Christmas party and meal.
- **The Hut:** A successful party was held using the Community Initiative Fund. An Easter event is planned with an Easter Bonnet parade. A trip is planned to Cleethorpes on 20.07.24 which will take residents for the day by bus, and this is being opened up to all local tenants. Funding is being sought for this to keep costs for participants to a minimum.
- **Beresford Court Shepshed:** Work on trying to involve all residents in the community are progressing slowly and 2 events are planned using the Community Initiative Fund to encourage this. There is also a tenant bid in progress for a new garden shed for the court.
- **Brook Street Shepshed:** Residents are planning a meal using the Community Initiative Fund to encourage residents to engage and to continue the good work that has been put in at Brook Street. Residents are also meeting council officers to continue this work.
- **Sorrel Court:** Work on the scooter room has come to a stop, is there a reason for this? Customer Engagement to investigate. **ACTION** It was asked what other forum members experience of food banks was, as some residents at Mountsorrel are being asked personal questions on applying for aid from these.

6. Actions for Customer Engagement:

- Investigate why work has stopped on the scooter room at Sorrel Court.

7. Actions for leasehold office:

- Look into mediation between tenant and leaseholder.

Meeting Closed At; 3:00pm

Next meeting to be held on 21.02.24 at Committee Room 2 Charnwood Borough Council Offices.