

Tenants Association of the National Trust (TANT)

Annual General Meeting On Sunday 26th April 2009

In attendance:

Guest Speaker – Hugh Devlin, Senior Rural Surveyor. Steven Armstrong –Rural Surveyor, Dudmaston Estate. HD spoke about the new Tenants Handbook which is being launched today.

He outlined his own background along with that of the method by which the NT estates were managed. Rural Surveyors run the property management function. Building Surveyors manage the building repairs. Both provide services to the Property Manager.

Steven Armstrong described the Dudmaston Estate. 3,000 acres plus Dudmaston Hall and Woodlands. 40 residential properties, 4 principal farm tenancies and some smaller farm tenancies. There are also shooting and fishing activities on the estate. There is a network of footpaths which the NT is encouraging people to use more plus an active Village Hall which is owned by the NT. In addition, there is a farm shop and sawmill, both of which are successful businesses employing local people. Dudmaston has recently employed some permanent Surveyors to replace temporary staff. SA felt that this would enable the NT to improve its services to tenants.

HD then moved on to discuss the Tenants Handbook. The NT have had a serious shortage of surveying staff but they have now recruited more staff. The current economic climate has assisted with this.

The Tenants Handbook should improve dialogue between the NT and Tenants. There has been a lot of discussion with TANT members. There are 12 sections to the Handbook. Hard copies are not available but will be by the end of May. The TH will be common to every tenant although it is accepted that there are some differences between tenancies. An insert will be put into the document at a Regional/Local level.

Fiona Reynolds produced the "welcome". This considers the relationship between the NT and Tenants as "joint" Stewards. The NT wants to be a good landlord working with good tenants. The TH is a guide not a legal agreement. The NT does not consider itself to be a "Social Landlord". 7% total dwellings are Holiday Lets.

Properties are generally let at market rents. He covered tenant selection and NT income and noted the concept of favouring those that support the local community. There is a Customer Service section.

HD noted that there are three primary forms of tenancy agreement. New ones are Assured Shorthold based upon RICS Agreement which is now used

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as standard. He then outlined the basic principles of the agreement noting that these are same difference between different types of tenancy agreements.

The NT is now looking towards more wood-fired heating in domestic dwellings.

ATC asked about tenant responsibilities for cleaning chimneys. HD said that the Tenants Handbook has been checked and signed off by the NT Solicitors. LB asked about the rules for cleaning chimneys and asked AY. He outlined the research that revealed that this may be an issue under the "unfair contracts" act. SA said the chimneys should be cleaned on an annual basis.

The NT is responsible for the structure of the building and NT provided heating and services. He continued that the Tenants Handbook does not replace the Tenancy Agreement.

Under "repairs", HD outlined the intent to move towards a planned maintenance cycle away from the reactive approach that exists although this may take a couple of years to achieve.

HD noted the need to respond to "emergency" repairs. Contact details for emergencies will be provided on local basis. Response times have not been included and the NT had felt that they could not have met these – they were not achievable. They will however advise the tenant how long they will take to complete a given repair. He feels that more work may be undertaken between the NT and TANT in this area. Mirian Baharier asked if a 24 hour number would be provided. HD said each estate will provide emergency contact numbers. Another question was raised about heating on Dudmaston. HD said new staff appointments should help with this type of problem.

Christina George asked if Tenants can get repairs done and reclaim it if they can show the NT has not acted. HD said they may agree to this in certain circumstances i.e. in remote areas. He suggested getting NT approval first to ensure that the cost would be re-paid unless emergency. If it is found that the tenant caused the problem i.e. blocked toilet, it may not be repaid. The NT should keep tenants informed.

There is a Complaints Procedure which can be used if the matter has not been resolved.

HD suggested that tenants should talk to the NT if they get into financial difficulties.

There are opportunities for tenants to become involved with the NT and feedback is welcomed. There is also a section on succession. HD said that tenants can "match the property" in terms of size etc.

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Complaints process

- Try to resolve with the local office
- Write to the Regional Director with full details.
- Complaint will be recorded and dealt with by a nominated member of staff.
- Regional Director should resolve.
- If not, Director of Operations Simon Murray will take the next step.
- If he is unable to resolve the matter, it will pass to the Chairman who will pass to an external adjudicator.

Tenants can request certain information under the Data Protection Act.

The TH will be sent to every NT tenant.

Question from Clumber Park where they have a Handbook. HD said the new one should supersede it although supplementary information may be added.

Holnicott Estate also has Handbook. Again this will be the superseded although local information may be included. It was noted that the local one does include repair targets.

Question raised about wood-burners, tenants can apply but need a flue.

Question about "downsizing" if someone needs a change. Will a database of property to let be available? HD said they may be on "Rightmove"

Question about downsizing and rent levels where a smaller house may have a higher rent. HD said they would take this into account if rents are higher in another area the tenant may have to pay more.

LS suggested a repair and defects form is provided as an insert.

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AGM

Apologies

Andrew George
Nigel Foster
Alan Lawrence

Minutes of Last Meeting

Proposed MB
Seconded Sally Bate
The Chairman formally signed the Minutes.

Matters Arising

- Charitable Status. Not proceeding.
- Ability to gift-aid. Not proceeding – cannot do this unless a Charity.
- Donation via Website – now available. Fran suggested that website does not say why we need donations and suggests a minimum donation.

CG asked about Database. ATC said NT will not provide.

LS asked about filming at last AGM, LB replied that we did not know. Suggestion that each tenant forwards another tenants details to TANT.

5. Chairman's Report

ATC ran through his report which was well received. The success of Embleton Links received a spontaneous round of applause.

6. Treasurer's Report

LB ran through her Report. She outlined the back account details.

7. Development Officer's Report.

Questions were raised about no. of votes required to get onto Council. 17-20,000. Suggested that if Tenant Custodian Status were granted we would have voting rights.

PB suggested fundraising for new resource centre.

8. Election of Officers and Committee

ATC noted that NF has resigned and AL has not confirmed whether he will stand again. CG said that AG would stand again.

ATC proposed an "en-bloc" re-election of Committee as stands.

ATC asked for other nominees from the floor.

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LS nominated Fran Robinson.

Proposer for Committee members was Sally Bate.
Seconded by Miriam Baharier

ATC referred to email from David Evans regarding AY status. Committee have supported his ongoing involvement on the basis that he is Chairman of QVH he represents then as a Tenant. Section 4g of constitution whereby the nomination is ratified at next AGM.

Proposed 3 changed to "current or former"
Proposed, Christina George, seconded Stuart Thomson. All in favour. No objections.

The following motion was formulated and debated:-

Proposed motion

Whilst TANT is pleased that the NT have supported the proposal to produce a Tenants Handbook and Complaints Procedure, we have a number of concerns that we feel should be reported back to the NT:-

1. TANT are not satisfied with the final consultation on the final draft of the Handbook which contained some significant alterations. These had not been the subject of adequate debate with the TANT Committee.
2. TANT were put under considerable pressure to accept these late changes at very short notice.
3. This is not the first time that TANT have been treated in this way.

We therefore propose that:-

1. We formally register our concerns to the NT
2. We demand that the NT review the Handbook by June 2011 on the basis that Fiona Reynolds has stated "please let us know if you can suggest improvements" to the current Handbook. This review process should be undertaken in collaboration with TANT incorporating the resulting feedback. This process should be conducted within a reasonable timeframe agreed by both parties.
3. The target timescales for dealing with repairs and the details of the repair categories as described in the original draft document should be reinstated and the legality around the requirement for Tenants to clean their chimneys should be the subject of review.
4. The target timescales and repair definitions are included in an insert to be provided on a local basis.

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The motion was proposed by Fran Robinson, seconded by Jim Walterson. All in favour.

Tenant Custodian Membership

All tenants should automatically be classed as Tenant Custodians with Tenant Custodian membership status with full voting rights unless they agree to opt out.

Proposed Fran Robinson, seconded Christina George. All in favour.

Any other Business

Jim Waterson. Thanks to TANT Committee. Should TANT put out a Press Release about launch of Handbook and the process? This could be a positive story despite our concerns. Agreed that the TANT Committee should consider at next meeting.

Question about Warmfront Insulation. The NT appear to be putting up obstructions to tenants using it. ATC replied that NT at a senior level support Warm front, but local offices sometimes block.

CG - Garden competition, good idea. Could it be linked with Gardens World? Could it be regional?

CG – Charity Commission, suitable skills etc. Therefore not true that they must get market rent. PD replied that this related more to allocation of properties and that NT will still want market rent.

Meeting closed at 2.30pm