

Public Eildon Board Minutes

Meeting: Board Meeting of Eildon Housing Association Ltd.

Date: 15 November 2023

Time: 5.40pm – 8.35pm (2hrs 55m)

Location: Weaving Shed

Present: Mr R Beardsley, Ms C Fancy, Mr B Frater, Mr C Highton, Ms C Louch, Mr A Lundmark, Ms E McHugh, Dr A Mordue, and Mr E Swinton.

Virtual: Ms A Harvie

Observers: Mr R Kilshaw and Ms H MacLeod

Attendance: Mr N Istephan, Chief Executive & Company Secretary (CEO)
Ms L Mirley, Director Business Support
Ms A Miller, Director Housing & Care Services (DHCS)
Mr N Wilson-Prior, Director of Property Assets (DPA)
Ms S Spence, Governance Officer

Ms Fancy presided

Ref	Subject
Board Items	
1.01	Welcome & Apologies The Chair welcomed everyone to the meeting introduced Mr Kilshaw and Ms MacLeod as observers to the meeting. Noting there were no apologies. The meeting was officially opened at 5.40pm.
1.02	Declarations of Interest The Chair noted a declaration of interest from Mr Beardsley for point 2.05 Rent Consultation.
1.03	Minutes for Approval The minutes of the Board meeting held on 6 September 2023 were approved as a correct record on the motion of Dr Mordue and seconded by Mr Beardsley.
1.04	Action Points & Matters Arising Board Members noted that all three action points had been completed. Recommendation: Board noted the paper.
1.05	Committee Items for Approval/Noting Audit and Risk Committee (ARCom), 7 September 2022 Mr Swinton reported he had been nominated and had accepted to be re-elected as Chair of ARCom.

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1.06	<p>Remuneration Committee (RemCo), 20 September 2023</p> <p>Mr Frater reported:</p> <ul style="list-style-type: none"> • That he had been nominated and had accepted the position of Chair of Remcom. • Advised there is a vacancy on RemCo, which is being filled, on a temporary basis, by Mr Highton. <p>The Board noted the minutes of these meetings.</p>
1.07	<p>Draft EEL, 15 November 2023</p> <p>Mr Lundmark gave an update from the EEL meeting that preceded the Board meeting.</p> <p>Recommendation: Board Members noted the verbal update on the EEL meeting.</p>
Strategic Items	
2.01	<p>Management Accounts & Financial Report Q2</p> <p>DBS presented the Management Accounts and Financial Report Q2.</p> <p>Recommendation: The Board:</p> <ol style="list-style-type: none"> 1. Approved the Quarter 2 Management Accounts 2023/24, 2. Noted the revised estimated out-turn for 2023/24, and 3. Noted the potential areas of influence from the external environment on Eildon's future business and financial plans.
2.02	<p>Development & Treasury Management Report Q2</p> <p>The DPA gave an overview of the Development part of the report. H</p> <p>Recommendation: The Board</p> <ol style="list-style-type: none"> 1. Noted the movement in the development programme and considered the implications of the revisions outlined, and 2. Noted that factors that have been identified that will influence the development of the 2024/25 updated medium and long-term financial viability planning which will be presented to Board in March 2024. 3. Noted Progress against the Treasury Management Action Plan.
2.03	<p>Q2 Performance Report</p> <p>DBS gave an overview of the Q2 Performance Report.</p> <p>Recommendation: The Board noted the contents of the paper and the Quarter Two Performance Booklet</p>
2.04	<p>Care Services Performance Report Q2</p> <p>DCS gave an overview of the report.</p> <p>Recommendation: The Board noted the performance of Care Services within Q2 2023/24.</p>

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2.05	<p>Rents and Consultation 2023/24 DCS gave an overview of the Rent and Consultation process.</p> <p>Recommendation: The Board:</p> <ol style="list-style-type: none"> 1. Approved the proposed increase of 7% across rents for consultation with tenants, and up to 7% increase for service and board charges, 2. Approved the tenant consultation process set out in this report, and 3. Noted a report on the outcome of the consultation will be presented to Board on 14 February 2024 to agree the increase from 1 April 2024.
2. 06	<p>EHA:EEL Service Level Agreement DBS advised current Service Level Agreement (SLA) period requires extending and proposed that the SLA is extended until the 31 March 2026 with a variation that enables the annual review of fees to happen in February rather than December to align with the EEL Board meeting schedule.</p> <p>Recommendation: The Board:</p> <ol style="list-style-type: none"> 1. Agreed the proposed changes to the SLA between EEL and EHA as follows: <ol style="list-style-type: none"> a. Extend the SLA to end on the 31 March 2026 b. Amend the annual review of fees from December to February 2. Agreed to delegate to the Chief Executive to execute these changes on behalf of EHA.
2.07	<p>Rent Setting Policy Review DCS gave an overview of the main changes to the Rent Setting Policy.</p> <p>Recommendation: The Board noted this paper and:</p> <ol style="list-style-type: none"> 1. Approved the revised Rent Setting Policy 2. Agreed the next review date December 2026.
2.08	<p>Equality, Diversity and Human Rights Policy Review CEO gave an overview of the Equality, Diversity and Human Rights Policy and highlighted this is a new policy for Board approval and has been adapted from the Scottish Federation of Housing Associations (SFHA) model policy.</p> <p>Recommendations: The Board considered and approved the Equality, Diversity and Human Rights Policy Review.</p>
Routine Items Q2	
3.01	<p>Board Away Day 2023 The CEO gave a verbal update on the Board Away Day held in October and thanked Board Members for their attendance and the positive interactions.</p>

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	<p>Recommendation: The Board:</p> <ol style="list-style-type: none"> 1. Noted the circulation of the materials used at the Away Day and provided feedback and reflections on the issues covered. 2. Agreed to bring a high level-report on remuneration of Board Member to a future meeting.
	<p>The Chair advised the meeting was running close to the 2.5 hours duration allowed for Board meetings and in compliance with the Rules proposed the meeting continue for a further 30 minutes to conclude business. Board members agreed unanimously.</p>
3.02	<p>Q2 Tenancy Related Write Off Cases The Chair invited comments from Board Members on this standard report. With no further questions or discussion, the Chair moved to the Recommendations.</p> <p>Recommendation: The Board</p> <ol style="list-style-type: none"> 1. Approved the write off of former tenant debt, as outlined in Appendix 1; 2. Approved the write off of former tenant credit, as outlined in Appendix 2; 3. Noted the balance of arrears and credits/prepayments written off under delegated authority; and 4. Noted the balance of arrears at key stages of the recovery process.
3.03a	<p>Legal Actions - Rent Arrears The Chair invited comments from Board Members on this standard report. With no further questions or discussion, the Chair moved to the Recommendations.</p> <p>Recommendation: The Board noted the intention, where the action is necessary, to seek Decree to Evict when the case/s are called into court and Board approval was sought to enforce it. Where arrangements exist Board approval was sought for Decree to Evict if they are not maintained.</p>
3.03b	<p>Legal Actions – Delegated Authority DCS explained that delegated authority had been sought from the Chair and Vice-chair as this case was being presented at Court before the November Board meeting.</p> <p>Recommendation: The Board noted the action taken and homologated the decision made by the Chair and Vice Chair.</p>
3.03c	<p>Legal Actions: Other Tenancy Issues There were no other tenancy issues reported.</p>
3.03d	<p>Legal Actions: Updates The Chair invited comments from Board Members on this standard report. With no further questions or discussion, the Chair moved to the Recommendations.</p>

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	RECOMMENDATION: The Board noted progress with regard to the legal action cases included within the report.
Standard Items	
4.01	Disposal of Land/Property/Leases and Granting of a Security There were no disposals reported.
4.02	Payments & Benefits With no further questions from Board Members on this item, the Chair moved to the Recommendation. Recommendation: The Board noted the Offer of Employment and Granting of a Tenancy, where there was a close connection to an employee of Eildon had been given in line with the Equalities, Payments and Benefits policy.
4.03	List of Signings and Use of Seal With no questions from Board Members on this standing item, the Chair moved to the Recommendation. Recommendation: The Board noted the use of the Seal for Share Certificate 692 to Ms McLeod.
4.04	Membership Applications With no questions from Board Members on this standing item, the Chair moved to the Recommendation. Recommendation: The Board approved the application for Membership of the Association for Mr Kilshaw, Peebles
4.05	Ex-gratia Payment DCS gave an overview on the events that led to the ex-gratia payments being made that was due to a unique heating element issue. Recommendation: The Board noted this report, in accordance with Clause 4 of the Financial Standing Orders setting out the basis for ex gratia payments.
	AOCB Board Recruitment: The Chair asked the two observers to the meeting to leave the room, while Board Members had the chance to discuss if there were any reasons to reject the membership in accordance with Rule 40.3. Board Members unanimously agreed to invite Ms Maclead and Mr Kilshaw to join the Board. On their return to the meeting the Chair offered Ms Maclead and Mr Kilshaw a co-opted position on the Board if they wished. Ms Maclead and Mr Kilshaw thanked the Chair for the offer and accepted. With no further business to discuss the Chair closed the meeting closed at 8.35pm.