

Chelsea Bridge Wharf Resident's Association (RA) draft minutes – 16 January 2022

Attendees

Chairperson: Stephen Thompson

Company Secretary: Catherine Thomé

Treasurer: Charlie Garton-Jones

Patrick Savage	Building representative for Centurion & scrutiny
Louis Kendall	Building representative for Warwick
Toby Spoerer	Building representative for Lanson, technology & scrutiny
Natalia Nyudyurbegova	Technology
Dorota Szelagowska	Database
Qin Xie	Building representative for Burnelli
Vasundhara Talwar	Building representative for Warwick (zoom)
Jean Dornhofer	Community Liaison (zoom)

Apologies

Kirt Bains, Alexander Minakov, Aarya Mishra, Hasher Marouf, Jovdat Guliyev, Rui Ramalho, Susan de Laszlo.

Resident observers

In person: Larisa Villar Hauser; Rebekah Adey; Richard Field; Sai Warren; Amani El-Kholy

Online: Emma Biskupski; Max Boden; Tan Siew Kheng; Jane Kenneally; Philippe

Gault; Mike O'Driscoll; Steve Menzies; Karin Paynter; Jill Gore; Roger Guest

Right to Manage (RTM)

Charlie started with a background overview and explained that in 2009 he had instigated RTM and that it had always been the Residents Association (RA)'s main objective to take control of the development, to run it ourselves and appoint the managing agent and decide how it runs. Despite the RTM petition being successful at the time, one of the freeholders Fairhold Artemis got leave to appeal to the upper tribunal. Due to the very high legal expenses, the time involved and the personal liability to the directors should the RA lose, following legal advice RTM was dropped.

In the last month, the RA consulted Roger Southam who had advised us in 2009 on our RTM. As he was very efficient, knowledgeable and his background is property management, it is proposed to re-engage him to try and gain as much control as soon as possible over the running of Chelsea Bridge Wharf. His professional advice as someone who is familiar and understands the 2012 legal agreement is not to pursue a RTM application at this time and to instead re-tender for a new managing agent. Last time the RTM application took nearly three years and cost £21,000. His fee for the re-tender is £15,000 and it is expected to take only a few months.

Committee members subsequently voted in favour of re-tendering the property management (12 in favour, 5 abstentions). Committee members also subsequently voted by email in favour of a targeted accounting audit of R&R by Shaw Wallace chartered accountants for a fee of £4000 (10 in favour, 1 not in favour, 5 abstentions) which had already been voted in favour of in May 2021.

Patrick queried the timing of a RTM application. Charlie explained all that there was cross-party support for changing the RTM legislation and making it much easier to purchase the freehold. Views vary as to when the law might change and come into effect, it could happen as early as the end of 2023 or be years down the line. Stephen reminded all that the ultimate goal of the RA was to purchase the freehold. Charlie also explained that no individual leaseholder would be forced to purchase the freehold. Owners would have the option to either join the freehold company owned by leaseholders (at any time) or continue to pay ground rent. Stephen concluded that in the interim the re-tender would give residents more autonomy in terms of the day to day running and maintenance of the development.

Accounts

Stephen acknowledged residents' dissatisfaction with the unclear format of the R&R service charge statements and said that the RA had pushed for change and been told that R&R would launch its new software platform and service charge format in May 2022. The RA has requested to test iterations of new format and the opportunity to provide feedback.

Ground rent charges would only change when the RA obtains freehold rights as discussed earlier. Leaseholders who buy into the freehold would not have to pay ground rent anymore.

Stephen added that one of the RA priorities had always been to work with and challenge the managing agents to ensure residents' money is not wasted. He said that the RA's efforts had contributed to the welcome operations personnel changes at R&R last year and that this was a good start.

Highlights of the December R&R residents meeting

Catherine requested a summary for residents who had not been able to attend.

Stephen said that Richard Daver (R&R) was due to share the restructuring plan for R&R staff working at CBW. The idea was to have a better team with the appropriate skillset and better retainment. Qin commented that one of the reasons the service charge had gone up this year was because of new staff hires. Stephen said the RA was trying to get R&R to create an environment where staff were retained. He was hopeful that the restructure exercise would mean letting incompetent staff go and enable better qualified staff to be hired. He said he trusted Estates Manager Brian Klue to lead on this.

Charlie added that another reason for the higher staff costs was the legal ruling about charging VAT on salaries a few months ago. Staff is the single biggest item we pay for and the bill had suddenly gone up by 20% because of the VAT charge.

Natalia commented that at the meeting Richard David had presented a graph of around thirty R&R staff which seemed unjustified. She hoped that after the restructure we would only be charged for cleaners and that the back office would only consist of a few contracts, legal, financial and one manager.

Stephen said that clear information about future savings would be circulated to the Committee and to residents via the app before the next meeting.

Stephen then said he had also requested the Service Level Agreement for the lifts. He acknowledged that lift maintenance issues had been frustrating both residents and the estate manager. He added that Otis did not seem to value CBW as a client, with repairs taking too

long. He said he would publish an update on the app as soon as R&R gave him news in the coming week.

Stephen then said there had been a discussion about the fountains which the majority of residents favoured according to the survey as long as they worked well.

Chair elections update

Charlie said that historically there had previously been a residents' association but without any structure or elections, which meant that it was difficult to instigate change and after members gradually resigned it had gone quiet.

He said that the first election for the Chair of the current Residents Association had taken place almost one year ago to the day. He said that from his experience residents would be more likely to engage with one chairperson election, reading manifestos which focus on the issues rather than multiple elections for various positions on the RA committee.

He said that in the upcoming election there were only two candidates: current Chair Stephen Thompson and Mike O'Driscoll who is a leaseholder in the Warwick building. Final full final manifestos would be submitted by close of business on Wednesday 19th January, they would be published by 21st and voting would finish at close of business on Friday 28th. Results would be announced on Saturday 29th. As in the previous year, it would be an online vote. Stephen stated that it was essential that residents be actively engaged as only a fully functioning and well attended RA could protect our interests.

Qin and Dorota volunteered to assist Charlie run the election process and verify vote counting. The election would be advertised and promoted widely to ensure maximum participation.

Mike O'Driscoll subsequently withdrew from the process. On 20 January it was announced on the app that Stephen would continue as Chair for another year and residents were invited to send expressions of interest to join the RA Committee by sending an email to info@cbwra.com.

Updates on main items:

Sopwith Way project

Louis reminded all that over the last few months he and Toby had been working with Brian Klue, Berkeley Homes and BPS to investigate how best to restrict and limit pedestrian and traffic access to Sopwith Way to CBW residents. This had been identified as important in the residents' survey. Louis hoped to present options such a barriers and costs to the Committee the following month and estimated the installation and build would take two to three months.

Natalia enquired about touch sensor buttons to exit blue gates. Louis said that many gate buttons did not work and that in these covid times they were trialling an inexpensive sensor option (£20 each) for a few weeks. If it proved successful, all blue gate buttons would be replaced.

Intercom

Toby said that the former contractor Cornerstone had on the recommendation of the RA been replaced with Intercom Repairs. Centurion Building, which had been the most problematic, seemed to be working again. The plan was to keep the current system in working order rather than consider a full replacement, due to budgets. This would be kept under review.

Scaffolding

Stephen acknowledged that the scaffolding was a big frustration to all that were affected including himself. He said that unfortunately there was little that the RA could do other than regularly complain to Berkeley Homes (BH) to keep us informed and explain any delays. He said that in December BH had published reasoned evidence, citing Covid, Brexit and related employment issues again. He said scaffolding had started to come down in Hawker, that Horace was next, and he believed the deadline to be scaffolding free was June. Stephen would continue to apply pressure on BH to meet the deadline.

Ponds

Natalia asked whether a company was due to come and put algae in the ponds that to filtrate water and avoid having stagnant water again. She felt it would be more cost effective than an expensive water filter system.

Stephen said the ponds had been filled in buildings which were on railway side. Louis said that for Centurion ponds, resin was applied to cover some of the holes, which was more cost effective than doing an expensive pool reline and would last up to 25 years.

Stephen said that the park facing side ponds would be filled once the scaffolding came down. He reminded all that last year R&R had originally intended to reline the ponds at a cost of £2-3 million and that the RA's involvement had prevented this.

Maintenance issues

Jean brought up R&R's responsiveness to the residents and said they should be regularly reporting back to the RA and to all residents in written form on outstanding issues. She said the monthly maintenance updates were good, but R&R needed to be more rigorous and give updates on all ongoing issues such as the security cameras for example, not just what they had achieved in the past month. Stephen agreed and reminded all that the app was a portal for people to inform both the RA and R&R of maintenance issues.

Toby mentioned that the RA and R&R were looking into a project management software which would give the option to have an online version and it would give everybody transparency as to what jobs are going on at any one time and accountability. This cost £300 might be picked up by R&R depending on the version that is chosen.

Jean suggested that the RA could submit a list of issues to R&R twice a month and then expect a rigorous, detailed update. Natalia suggested that we should involve building representatives more and ask them to engage with the residents in their block. Dorota made the point that this was R&R's duty as we pay them through our service charge and asked why for example cleaners were not trained to report maintenance issues.

Stephen agreed and said he had raised this very issue with Brian Klue the week before, that all staff should be eyes and ears on the ground and report every single maintenance issue. He said that Brian was on board but that in the transition period at the moment they were short-staffed.

RA priorities for 2022

Stephen said the main priority had always been to gain control of the management of the estate and to save us money and improve our maintenance.

Catherine added that the items which had just been discussed such as Sopwith Way, the intercom system, buildings' insurance, ponds and the fountains were some of the big items the RA had been working on and would continue to do so. Fountains were now in good working order. Stephen added that lights and trees were also areas which had improved.

Catherine then raised the RA's wish for better engagement with all residents. She said the app was great but had its limitations and made the point that the RA had always welcomed residents to observe its meetings and engage with the RA.

Vasundhara suggested encouraging residents to share their email addresses and building representatives to contact their neighbours to improve the RA email database and hopefully reach more residents this way. Natalia pointed out that many leaseholders lived overseas and were not interested in engaging. Vasundhara said the app was not enough as we would need at least 50% support from each building for major decisions, such as RTM. Vasundhara said we could consider knocking on people's doors or putting leaflets in flats. Charlie asked how many people had registered on the app since it was set up around March or April 2021. Toby said it had 846 leaseholders and/or tenants which all agreed was excellent take up. Qin suggested that the demographics of the various buildings was quite different and that some blocks' residents were more willing to engage than others.

RA constitution

Stephen said he would circulate the amended constitution again as he had not received any comments in December. He said that if he was elected as Chair again he would continue the same system whereby he would invite any resident interested in the Committee to write to the RA. There had been not enough interest last year to warrant elections. He felt it was important to have representatives from each building. The purpose of the constitution was to set out the governance rules by which the RA operates.

Any other business

Catherine informed the Committee that its treasurer Charlie has tendered his resignation effective from 29 January. Stephen added that John Blackmore had also resigned. John is the commercial lawyer who drew up the 2012 legal document referred to at the beginning of the meeting which will allow us to re-tender the management of CBW. The Committee expressed thanks to both of them for their immense contributions.

Stephen said that security was increasingly becoming an issue. He said he was disappointed when the day after Christmas decorations had gone up, someone had stolen one of the two giant wreaths and the Christmas tree generator. It turned out that existing CCTV cameras did not cover these areas. He said that he had discussed the overall security situation with Brian Klue who agreed to replace the CCTV system.

Stephen said there had been issues with people trying to get access to the building. Louis added that there was an ongoing discussion with R&R about potentially having one SIA [security-trained] member of staff who could be dedicated to walkarounds and dealing with a variety of tasks such as noise complaints, package delivery, river front issues etc.

In closing, Catherine announced the next meeting would take place on Sunday 13 February at 11am and invited resident-observers to email their feedback and any questions to info@cbwra.com. Stephen thanked committee members for their time and contributions over the last 12 months and said much had been achieved.

Action points:

1. All to email Catherine their vote in favour or not regarding re-tendering the management contract (and having a targeted accounting audit) - DONE
2. Stephen to chase R&R for staff restructuring document, lifts agreement, and potential savings pending since December meeting
3. Stephen to publish on the app the potential savings promised by R&R at the December meeting once available, and an update about lifts
4. Chair elections: final manifestos to be sent to Charlie by COB on January 19th, they will be published on the app on the 21st when polling will commence until the 28th. Winner to be announced on the 29th – NOT NEEDED, NO ELECTION
5. Meet and greet the Chair candidates (Stephen and Mike) to be announced as soon as Charlie gets date confirmation – NOT NEEDED, NO ELECTION
- 6 Stephen to resend to RA committee the updated Constitution circulated by Stephen on December 3rd for comment - DONE