

Barking Reach Residents Association Meeting Minutes
Wednesday 21 October 2020
7.30pm, online video conference

Attendance: 34, including Pam Ross from BRL

Apologies from

Meeting started: 7.30pm

The agenda: it was suggested to move item 2. Fire Safety as first item.

Agenda

1. Fire Safety
 - SGH & EWH works halted
 - Remedial works on phase 1 houses
 - Caspian Quarter EWS1 forms/balconies
 - Verde EWS1 forms/balconies
2. Heating & hot water
3. CIC draft proposal of resident-led board model
4. Water pressure
5. Any Other Business

Minutes and matters arising

Minutes of the previous meeting were agreed.

Under matters arising, Pete Mason, chair of the Barking Reach Residents Association (BRRA), gave an update on the smell originating from a recycling plant on River Road: a committee member has been recording the incidents, and many residents had been reporting and complaining about. The council has been slow to respond, but the residents' association (RA) has had an email response from Councillor Cameron Geddes to say that the council's Environmental Enforcement team was investigating the issues raised and that an officer was arranging a visit to McGrath House and other businesses along River Road as part of further investigations to ascertain where the odour originates from.

Pete added that it's now getting colder so the smell is less prominent but that we had a body of evidence now that we can refer to in future.

1. Fire Safety

Pete has been suggesting that the RA move forward with recognition from Encore/Adriatic for the Caspian Quarter as it would be easier to communicate residents' issues directly. Residents and committee agreed to finding out a way to achieve this.

- SGH & EWH works halted

Pete reported that Southern Housing residents received a message from Southern Housing that said the work on the balconies on flats leased to Southern Housing had not been completed. Southern Housing contacted Bellway and Homeground, which acts for Adriatic Land, the buildings' owner, to resolve any issues between them quickly, to get back on site to finish the work and, on completion, present their bill to the buildings' owner. The message stated that "as a leaseholder, we are expecting that our share of any costs that the owner must pay for this essential safety work will be put to us via the service charge in the normal way, exactly as for any other leaseholder. We would not, of course, pass any of these costs on to you."

Leaseholders were furious with this message as they had been assured from the outset that no resident, including leaseholders, would be charged for any remedial works and these costs, if passed on to residents, would likely be tens of thousands of pounds. Several residents from Samuel Garside House (SGH) complained to Bellway, block managing agent RMG and Margaret Hodge MP regarding the halted works

and potential charges. Works to remove the remaining flammable cladding from exterior walls and balconies of both SGH and Ernest Websdale House (EWH) were halted at the beginning of the month.

The BBC London news had covered the issue after a press release drafted by residents and the RA, in the form of an email to Margaret Hodge, and the chair thanked all those residents who pressed for this, sent out the template email and took part in the segment, which was the first item of news on the BBC and was now on the Barking Riverside Fire website at <http://barkingriversidefire.com/> There was no doubt that this press coverage, which exposed Bellway, had put huge pressure on Bellway and Southern Housing to settle.

RMG had contacted residents to say that Bellway would meet with Southern Housing the following week for a resolution.

Pete proposed to write to Debbie Williams of Southern Housing to press them to retract the statement which implied that the leaseholders would pay for the works. He stated:

1. No Section 20 notice had been issued to leaseholders, to give the landlord the legal right to place the costs on the service charge. Southern Housing surely knew this. Therefore, any placing of these costs on the service charge would be illegal and would be defeated in court if necessary.
2. In the case of urgent action a section 20 notice (and period of consultation) can be forgone (fire safety being such a case), but in this case Bellway had extensively consulted on the replacement balconies and therefore it could not be argued that there was no opportunity to issue a section 20 notice to leaseholders.
3. That the RA and indeed individual residents had in writing several assurances that residents would not pay.

Therefore the message issued by Southern Housing was wrong, and a correction should be forthcoming.

Action: the RA to write to Southern Housing to assure residents of the mistake they made.

- Remedial works on phase 1 houses

Venilia gave a short update: residents/leaseholders of houses on phase 1 that have registered online through the Homes Connect portal would have by now received some information explaining how the process of replacing the flammable cladding will work. A home pack will follow shortly.

Southern Housing has chosen four properties as pilot houses for the works to start with a date of completion of 31.12.2020 – the deadline date for residents to respond on whether they want their cladding replaced. Pam confirmed that works will still go ahead despite the COVID-19 situation and reiterated that Barking Riverside Limited has assured residents that they will not pay for the replacement of the balconies and wood cladding.

- Caspian Quarter EWS1 forms/balconies

A resident of Caspian Quarter and committee member gave an update: block manager Encore has been proactive, sending letters to residents on progress made: it contacted Bellway regarding an external survey, requesting information/results to be disclosed but Bellway is not cooperating and not sharing the results of the survey.

Encore has also sent a Section 20 ‘notice of intention’ to residents/leaseholders in which stated that under section 20 of the Landlord and Tenant Act 1985, Adriatic Land 9 was serving the notice because there was an intention of major works being carried out at the various Caspian Quarter buildings.

Residents/leaseholders have a 30-day consultation period to respond. At the moment, however, it is not known what major works would be needed and so the RA suggested residents to contact Encore for more details.

It was agreed that the RA set up a special meeting in the next few days inviting Encore to meet with and discuss with residents the processes and reasons why Bellway is not sharing the results of the survey.

Residents also discussed that balcony decking seems to be flammable and needs to be replaced. Residents are not sure whether the cladding is flammable, or complies with regulations. The fact that Bellway had refused to share the results of its survey with Encore had potentially delayed Encore’s ability to apply to the

government fund for ACM cladding. Residents demanded that the results of Bellway's survey be shared with leaseholders.

According to a social media post by a resident, Margaret Hodge's office has been involved and said that Encore had now received 'Regulation 38' information from Bellway. This is information Bellway is legally obliged to part with to the managing agent concerning fire safety. It was not clear, however, whether this was the same information as the Bellway survey information that Encore had been pursuing.

An RA committee member volunteered to get in touch with the MP to find out more precisely what has been shared and discussed.

Residents unanimously passed a resolution stating that **Bellway should pay for the works to make the external walls of the Caspian Quarter blocks safe from fire.**

The chair proposed that the RA invite Arnold Tarling FRICS to be involved in the s20 consultation. Agreed.

Action: RA to set up a meeting with Caspian Quarter residents and Encore, write to Encore directly about this, inform them of the resolution and formulate a template email for individual residents to send as well, requesting further information and inviting Encore to the RA's Caspian Quarters meeting.

- Verde EWS1 forms/balconies

No updates on this as there were no phase 2 residents present at the meeting.

2. Heating & hot water

A resident mentioned that the temporary heating system at John Miller/Leslie Hitchcock House is being replaced with a permanent solution in the next few weeks. The temporary system has been in place now for more than two years. The resident asked if the RA can contact RMG to clarify who takes ownership of the communal system.

Action: RA to contact RMG for clarification on ownership of communal heating system at JMH/LHH.

Pete mentioned that Adriatic Land had given strict instructions to managing agents not to acknowledge the RA so a response from RMG was unlikely, and also said the RA must follow up with Phase 2 residents on this issue as winter and the cold weather is coming.

3. Barking Riverside Limited Community Interest Company draft proposal of resident-led board model

Pete gave a short explanation on what the Barking Riverside Limited Community Interest Company (BRL CIC) is and what the Learning Forum (LF) is doing. The BRL CIC could ultimately become a resident-run company to manage Barking Riverside's community assets, including being in charge of which estate management companies manage and maintain the estate, if the RA is successful.

As Barking Riverside Limited (BRL), the estate's developer, has plans to transfer all public spaces and buildings into a CIC, it's important that these are managed by local residents. The LF has been formed by BRL to invite local residents to review the CIC's governance structure (which currently holds four directors – a local councillor, the leader of the council, a BRL director and an L&Q director) and will make recommendations on whether the CIC can be improved for the benefit of the community. This would mean, in the view of the RA, changing the structure of the board to a majority of residents.

The RA has put forward its governance structure proposal to the LF in which there is a resident majority on the board, supporting the CIC's original articles of incorporation, which specified a resident majority once the estate is complete. Pete explained that the RA's proposal presents an idea of a resident subcommittee, elected from and representative of each phase of the estate, and these elected residents to govern the public realm through residents' representation.

Pam Ross of BRL also mentioned that the retender process to replace Pinnacle Places as the estate managing agent is now taking place and the Learning Forum is taking part in the process.

4. Water pressure

Venilia mentioned that the RA had conducted a survey of Galleons Drive residents at the end of September on water pressure problems that several residents had complained about following water meters being changed in June. The survey found that from the 17 Galleons Drive households interviewed on 27.09.2020, all their had water meters changed by Leep utilities from w/c 13 June 2020. 5 out of 17 claimed they did not have water pressure problems, but 12 out of 17 confirmed they did have water pressure problems. Only 1 out of 17 had water pressure problems before the meters were changed.

Action: RA to write to Leep Utilities to rectify water pressure problem.

Meeting ended 9.13pm