

Barking Reach Residents Association Meeting Minutes
Wednesday 17 November 2021
7.30pm via zoom
Caspian Quarter residents meeting

Attendance: 49

Guests: Suzanne Muna, SHAC

Meeting started: 7.30pm

The agenda: was agreed.

AGENDA

1. Survey results
2. Update on RA actions
3. Launch appeal for solicitor's fund
4. Non-paying residents
5. AOB

Speaker

Suzanne Muna from SHAC (Social Housing Action Campaign) talked about residents withholding payment from estate managers. She said residents can join the group online (<http://www.surveymonkey.co.uk/r/SHAC-SC>).

The group assists residents with legal advice and template letters regarding service charges and encourages communication with MPs and solicitors.

Solicitors are obliged to advise residents not to break the law (withholding payment is against the law) but SHAC's lawyer nevertheless gave out full information on how residents can protect themselves were they to choose to withhold payment.

She said she was surprised not more people withhold payment when they are in dispute with an item on their service charge. Not one resident in her group had ever had legal action against them by a landlord.

Collective effort makes an impact and gives residents negotiating power, Suzanne said, adding that it's important to make a distinction between non-payment and a resident disputing a charge. A resident is withholding payment until such time as the dispute is resolved.

1. Survey results

As per the last residents association (RA) meeting in October the committee conducted a resident survey. See slides for results.

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Topline results and summary

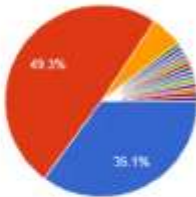
- ▶ 134 responders out of 314 flats.
- ▶ 44 responders gave their name / contact details with the offer of helping out.
- ▶ A high level of engagement from survey responders – almost all wanted to share their reasons behind service charge / balcony remediation.
- ▶ These will be representative views of our most engaged residents, so keep in mind that responders represent just over a third of CQ residents; the views of the majority are still unknown.

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Do you intend to pay the service charge payments and balcony remediation costs, as proposed by Encore?

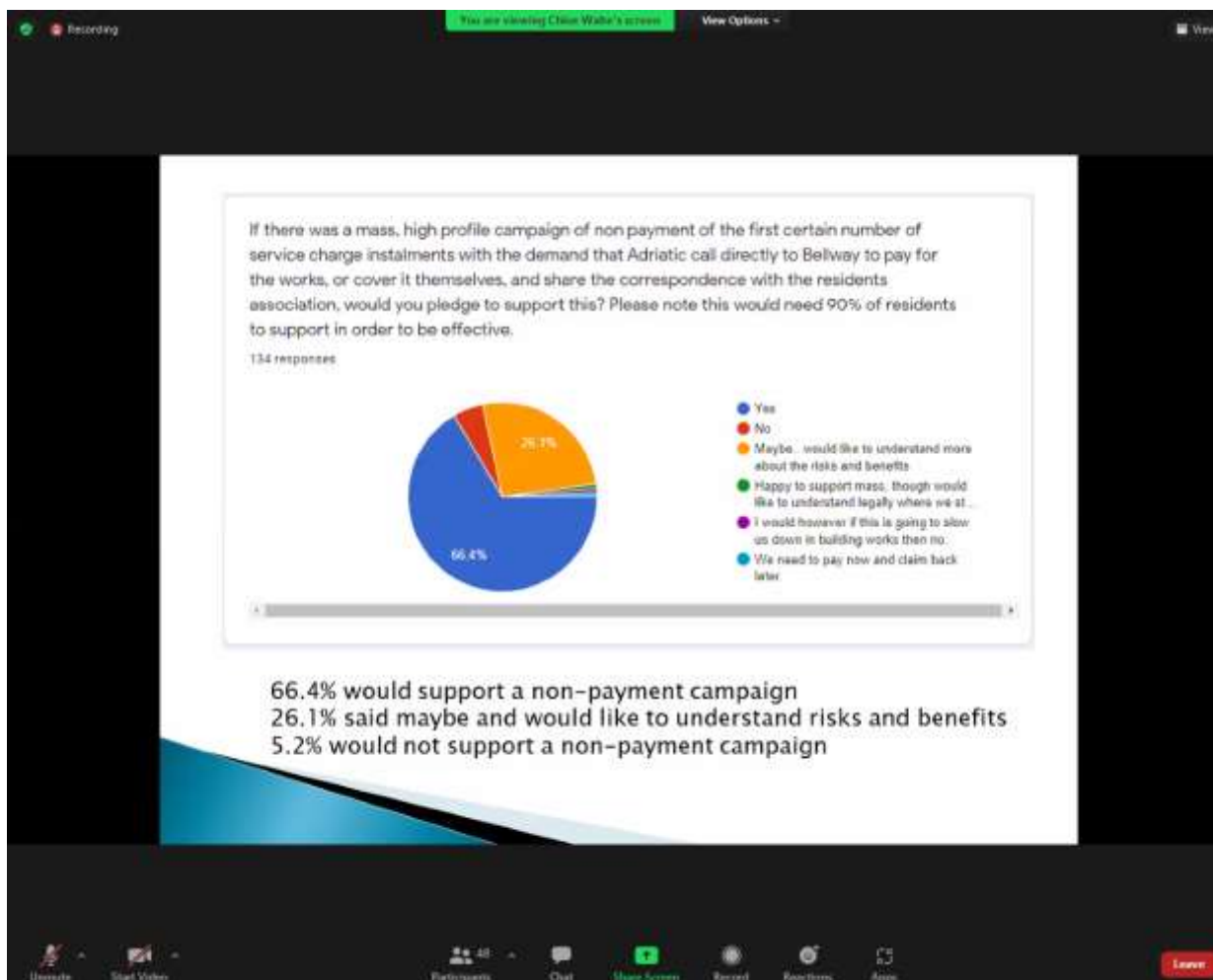
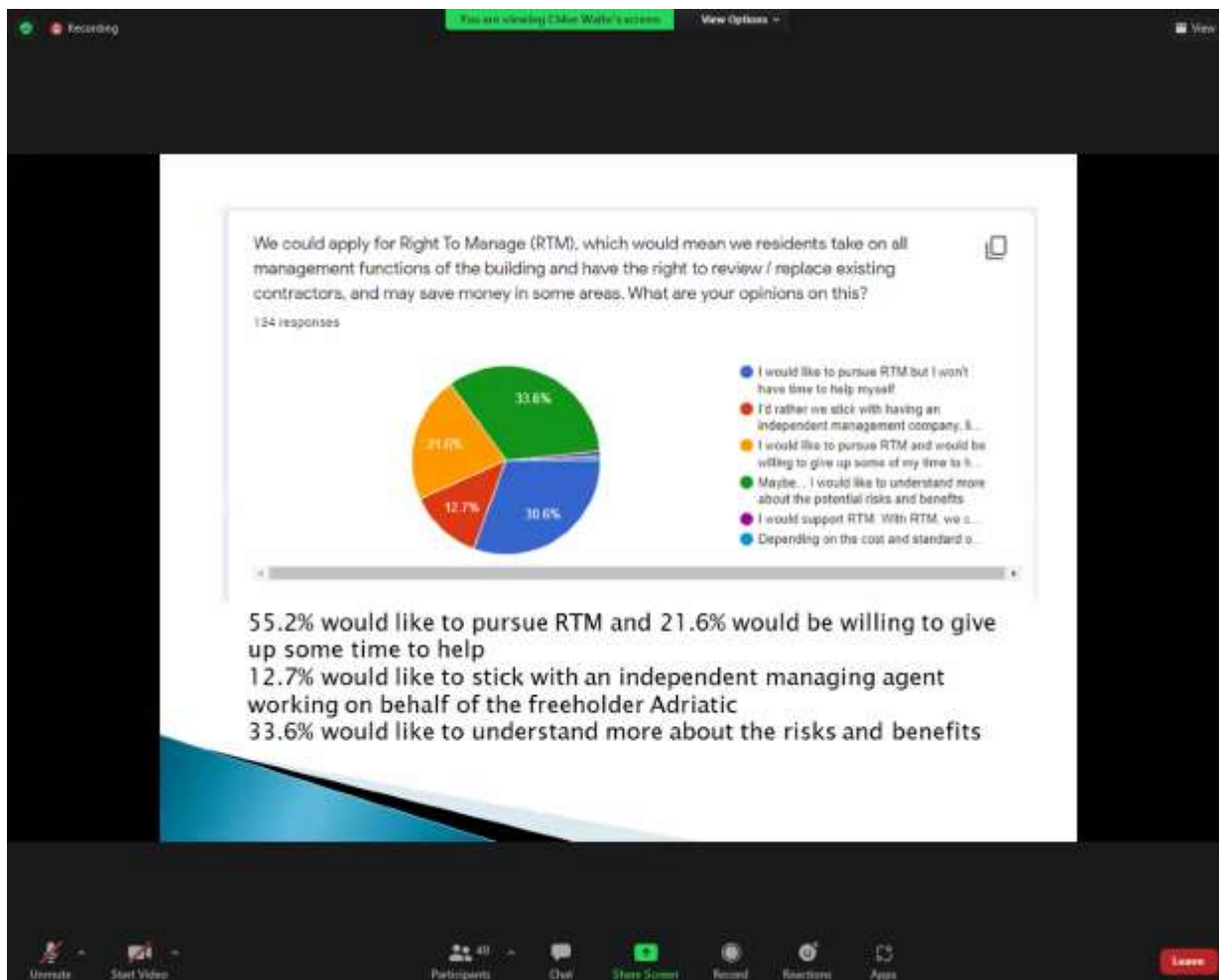
134 responses

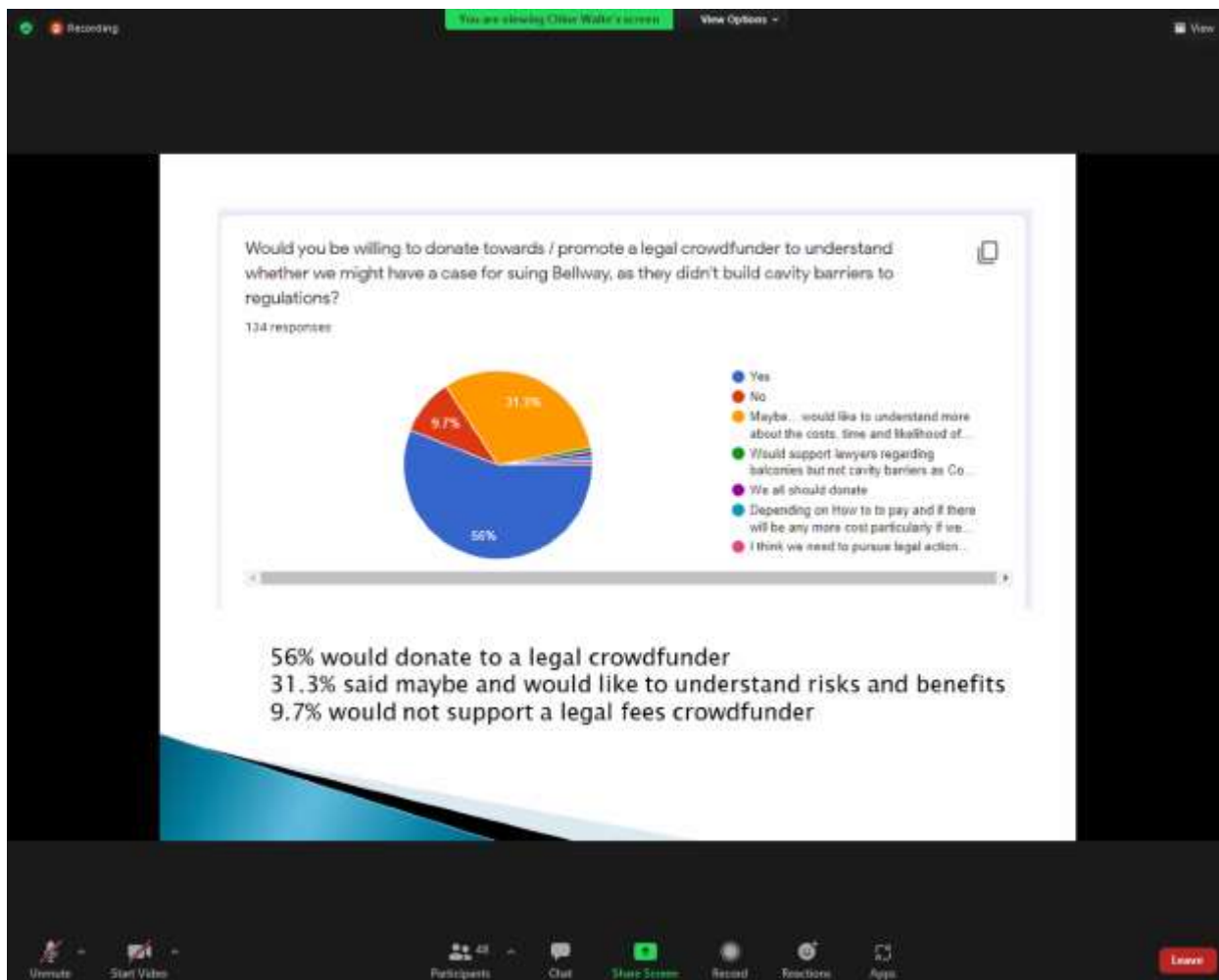


| Response Option | Percentage |
|--|------------|
| I will pay for balcony remediation and... | 35.1% |
| I will pay for service charge but not bal... | 49.3% |
| I will not be paying for service charge... | 5.2% |
| I'll make payments via a plan on prote... | - |
| We dont really have a choice do we? I... | - |
| Uncertain at this point | - |
| Still in dilemma to pay or not pay the f... | - |
| Undecided as I really would like to just... | - |

49.3% will pay for service charge but not balcony remediation
 35.1% will pay for balcony remediation and service charge
 5.2% will not be paying for service charge or balcony remediation

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Chloe, a committee member and resident of Caspian Quarter (CQ), presented the survey results, which were conducted just over two days, yet involved between a third and a half of all leaseholds so were indicative of the situation.

2. Update on RA actions

Pete reported on the last RA committee meeting, where Kelly from a Bellway-built estate in Chelmsford addressed the meeting. She and her resident neighbours managed to get Bellway to pay for remediations on her block (see [Essex News](#)). She managed to get an architect to produce a 16-page report of defects, and just before giving solicitors instructions to proceed with the legal case, Bellway decided to pay for all remediations. She also engaged and had full support of local councillors.

Pete Mason, RA chair, said the RA was meeting with local councillors on Friday to discuss their potential influence on getting Bellway to pay for remedial works. (See [update report](#)).

Joanna, another committee member and resident of Caspian Quarter (CQ), said that it is worth proceeding with pressuring Bellway to pay since they have reserve funds available.

3. Funding

Pete proposed to raise the £2,500 for a legal fund to get help from a solicitor. Blake Morgan LLP gave a costs estimate of £2,500 (plus VAT) with a potential cap at £3,000 (plus VAT) – see latest [email](#) from solicitor.

Joanna said that a 44-page report from Bellway was shared with the RA via Encore. Encore said they would have an update from Bellway on Friday and would communicate that with the RA.

See appendix 1 for a page of that report stating ‘findings’ and ‘conclusion and recommendations’.

4. AOB

None declared.

Meeting ended 9.08pm

5 Findings

From the photographic evidence provided above, it is clear to see that the majority of the cavity barriers observed on site are below the 28mm maximum gap, between the face of the barrier and rear face of the cladding, specified on the product labelling. In fact, there were only three instances where this was exceeded, with a 30-35mm gap. In most locations the gaps was smaller than the 22mm minimum recommended on the product labelling.

There were multiple locations where it was noted that the aluminium carrier system has been installed over the barriers, compressing them, and creating up to a 50mm gap between the barrier and the cladding. This was not isolated to a particular building, with this seeming to randomly occur across the development.

No cavity barriers were observed around any window openings in any of the areas investigated. Given this was the situation everywhere it is assumed they were never specified to be installed.

6 Conclusion & Recommendations

Although the absence of cavity barriers around windows does not strictly follow the guidance in ADB Vol.2 2007, the cladding is fixed on to external blockwork with no insulation in the cavity, meaning there is little to no fuel source in the cavity to enable fire to spread. Although this is considered to be low risk, it does not comply with the guidance at the time of construction and to demonstrate compliance these barriers should be installed.

Where the gaps between the intumescent strip and the rear face of the cladding are less than the 22mm minimum recommended on the product labelling, as discussed in section 3 of this report, a smaller gap is not considered to have an effect on fire performance, and this would be considered a low-risk issue. However, this could cause other issues around ventilation and potential water ingress.

The larger gaps, where up to 35mm, are not considered to present a significant risk of external fire spread as they were so few and far between and likely to be mostly filled by the intumescent in a cavity with little to no fire loading.

The gaps created by the aluminium carried system, when up to 50mm are of more concern and the gaps are likely to remain fairly large even when the intumescent materials are activated. However, as above, the cavity has little to no fire loading so any fire/smoke entering the cavity is likely to be largely stopped by the cavity barriers, where the gaps are 28mm or less. The small gaps remaining in the few locations where the gap is 35mm or 50mm are not widespread and would only allow a minimal amount of smoke through. Therefore, although not installed in accordance with the manufacturer's instructions, the risk of fire spread due to the cavity barriers is considered to be low.

Should the cavity barriers around openings be installed, it would seem logical to also remediate the barriers where the intumescent gaps is too small or large at the same time, as the majority of them would be exposed when removing the cladding.