

Barking Reach Residents Association Meeting Minutes
Wednesday 21 November 2019
7.30pm, Rivergate Centre

Attendance: 14

Guest: Shaun Murphy, Edwards, Duthie Shamas, solicitors

Meeting started: 7.40pm

The agenda was agreed.

Minutes and matters arising: the minutes from the previous meeting were agreed.

1. Campaign on Fire safety

The chair reported

- a. RMG wrote to Samuel Garside house residents on 8 November saying they will remove the wood decking of the balconies “now” without waiting for planning permission. Two weeks have now passed with no further action, so it’s not clear what “now” means. This was won as a result of the action of the solicitors forcing the council to intervene in Samuel Garside House but also our Residents Association (RA) protest outside the Bellway sales jamboree at the Hilton London Tower Bridge hotel as reported in the minutes of the last meeting.
- b. However, residents have heard nothing from the builders and managing agents about what they are going to do with the 233 houses with wood fronts. The RA and residents were promised an update in November and the RA has written reminding BRL of this and asking for a more precise date.
- c. Additionally, the RA has now in writing from Bellway to a committee member (07.11.19) that Farsby House balconies are flammable and have no certification. John Enright, group head of customer care at Bellway, stated that the decking boards are made of a material called “ecodeck” resting on timber battens. Ecodeck appears to be hardwood fibres bound by resin. Enright stated: “I am not aware of any fire retardation.”
- d. Bluebird House on Crossness Road, a resident says, has wooden balconies and wood fronted entrances. This is an L&Q owned building.

The chair, Pete Mason, commented this indicates the situation is far worse than might have been thought. Residents pointed also to cladding around the balconies on the walls in Farsby and other blocks like Breacher. The material of the cladding surrounding many of the balconies is not known to the RA or residents.

It was noted that the balconies of Breacher, Beach, Cornelius, Sandy, Dalton and Farsby houses are of identical construction, with a metal frame. In fact, the “ecodeck” boards do not rest on wooden battens in these blocks, but they do in John Millar House. The balconies have glass balustrades.

The chair encouraged residents to write to Bellway customer services to ask for specifications of the balconies and cladding for their block. The RA needs it in writing and it appears Bellway are currently happy to provide this information. Residents pointed out that it can also be obtained through the planning permission public records the council holds.

Shaun Murphy commented that this is a bigger issue than he had realised and offered to consult with the chair after the meeting on possible forms of action. Shaun noted that the publication of the Grenfell report had stated that if cladding offered no resistance to fire spread it was illegal.

And in fact, the cladding, as in Samuel Garside House it had actually accelerated the spread of the flames. The question remains as to how this illegality is seen through.

In relation to Barking Riverside estate, Shaun suggested that this would be a matter for the local council. Building regulations schedule 1, paragraph B4.1 of the 2010 legislation says that external walls shall

adequately resist fire. Legal action on this would be very costly, where groups of residents representing the different blocks and ownership would take action.

It was agreed that the RA would write to Cameron Geddes and express this concern.

Samuel Garside House update

Shaun then reported on the latest for Samuel Garside house.

Residents and the RA are still waiting on the report from the London Fire Brigade. They are a law unto themselves and it is difficult to see how to bring pressure to bear. A possibility he is looking at is an article in the guardian exposing them for not publishing.

It would be a mistake to proceed before this report comes out in case the wrong ammunition is used. Once published, legal action can then start forcing the disclosure of all documents. There are 28 or 29 residents who are Shaun's clients, that will then be part of the legal action for compensation. The RA had preliminary advice from a barrister who is an expert in this field.

The chair asked about the need for a structural survey. Shaun indicated that a full survey of the building would be an expensive undertaking, presumably requiring scaffolding to be put up, and it is reckoned that this cost would not be acceptable to a judge to award against the landlords etc. The costs might exceed the compensation.

Residents could reasonably claim costs for getting their flat surveyed if there were cracks which appeared after the fire and might reasonably be thought to result from it.

The chair stated that he believed there were perhaps 10 residents who were prepared to pay for the survey for their own peace of mind, although he had not seen an estimate put forward by a surveyor of the total costs involved and whether 10 flats would be sufficient, and what the cost per resident would be. That he believed the main problem was getting permission from the landlord.

Shaun said he was not aware of a group of residents being prepared to pay the costs. He did not think that getting permission from the landlord would be an issue. He said that if a number of flats were surveyed and the results suggested a structural issue, then the costs might be justified in the eyes of a judge and be awarded against the landlords.

Pete said that a report from Gravity had stated that a firm called RSK would carry out a destructive survey once the scaffolding was up but had not seen in writing any attempt to obtain this report or find out if it had been done.

2. Service charge

Residents reported on individual cases, and complained that Pinnacle had still not issued the service charge for the August 2019-July 2020 period. This means that the demands follow on directly from the issuing on the yearly budget.

Pam Ross from BRL had stated in a previous meeting with the RA that any outstanding issues with the estate service charge should be reported to her. Her contact details were passed on.

The chair reported on the meeting with BRL and Pinnacle on 30 October and highlighted the budget items that had changed the most (see minutes of meeting between RA and BRL). The budget was not ready as it was awaiting approval from BRL and the RA had requested to be sent a copy prior to it being issued.

3. Right to manage

Progress would be made on this issue in various blocks represented at the meeting as per minutes of previous meeting.

4. Any Other Business

Red cross emergency evacuation discussions

Venilia Amorim, treasurer, reported on this. One of the RA's previous guests, Alessandro Froldi, British Red Cross, is offering several workshops for residents on how to cope in the event of an emergency. These workshops have already started on Thames View and he is planning on a few to start at Rivergate centre as well.

Meeting closed at 9.15pm