

Barking Reach Residents Association Meeting Minutes
Wednesday 23 September 2020
7.30pm, online video conference

Attendance: 34, including Pam Ross from BRL

Apologies from police officers who could not attend.

Meeting started: 7.30pm

The agenda was agreed, with the following items added to the agenda under Any Other Business:

- Right to Manage for Leslie Hitchcock House
- Smell on the estate, mosquitoes and pigeons

Agenda

1. Safety & Security
2. Removal of flammable cladding (houses, balconies)
3. Service charge
4. Heating and water
5. CIC Learning Forum
6. Any other business

Minutes of the previous meeting were agreed.

Pam Ross requested to give an estates report and it was agreed to have Pam give her report under the service charge item.

1. Safety & Security

The chair invited a committee member to introduce the item on safety and security. She gave two reports. Firstly, she reported on an email received by the RA from the local Police (see addendum 1) in response to concerns we raised about security. The email provided some insight on the latest knife crime incidents on the estate. The police confirmed that in both cases, the people involved were not residents on the estate. Details on a burglary that took place assured residents that the burglars did not have keys to the premises.

The committee member also informed attending residents of a Safer Neighbourhood Board meeting she attended on 3 September (see addendum 2). She mentioned that most figures provided are borough-wide and highlighted the fact that the current three police officers that Thames Ward has can be called out to other London-wide incidents.

Pete Mason, chair of the residents' association (RA), reminded residents of the meeting held by RA and Barking Riverside Limited (BRL) last year about safety at Playhill Park, requesting more security and signage enforcing closing times at 9pm. No action from BRL has been taken since then.

Action: RA needs to try and get a response from BRL.

Pam Ross of BRL informed the meeting that the stabbing in mid-July at Playhill Park started in the car park by a group of people that do not live on the estate and only spilled into the top of the park. Also, the Mallards Road incident, she said, was a car selling scam performed by non-residents. She said BRL is looking into CCTV options as residents have been requesting it, at no costs to residents.

A committee member and resident of phase 2 said that on phase 2 BRL's security team should be more proactive as there have also been several burglaries, including to residents' cars. More lighting should be installed as well. Pam said she would chase up with security team.

2. Removal of flammable cladding (houses, balconies)

Pete mentioned that there was finally a proposal from BRL for residents of 220 houses on phase 1 to have their flammable cladding removed and replaced by a non-combustible material. He introduced Nuno Amorim, secretary of the RA, to speak about Bellway/BRL's proposal, of which relevant residents should have received a letter explaining the process and what material is planned to be used in the replacement process.

HardiePlank is the cladding material that BRL/Bellway are proposing to replace in all cladded houses on Phase 1 of the estate.

Nuno said the material is non-combustible and has achieved the highest rating possible in terms of fire safety for a coloured cladding product, with a fire rate of A2, meaning that it does not help spread fire, it contains it. It is fire retardant, not fire proof – no cladding is fire proof, Nuno said. Fire tests made on it, have lasted for at least 45 minutes. In his research, Nuno also found out that HardiePlank has been used in France where building regulations are much tighter than in the UK.

Nuno believes BRL's proposal is positive and should be considered by residents affected. He also said it was a good sign that BRL/Bellway are prepared to cover the costs, as each plank retails at £17.

Venilia Amorim, the RA's treasurer, mentioned that those interested in taking up the offer should register online, using details received in each individual letter.

Venilia also asked Pam if there would be a delay in the process, to which Pam could not confirm as she was not involved in the decision-making process but said there was a possibility.

Nuno also asked Pam if there was any threshold on the proposal take-up, below which the scheme would not be implemented, to which Pam said she was pretty sure there wasn't.

Balconies

Pete stated that eco-deck is used in the decking of balconies in several parts of the estate such as the Caspian Quarter and elsewhere, and raised the difficulties of acquiring the EWS1 form because of this decking, which is ungraded flammable material, which could spread fire from one flat to the one above due to the eco-deck material being fully exposed to a fire from below. L&Q seems to have removed this decking from Rhodes Mansion (phase 2), but now the RA is pressing for something to be done on Caspian Quarter (phase 1) as well.

Pete said it was clear that an EWS1 certificate showing compliance with fire safety regulations on cladding would not likely be issued to any block until the eco-deck material has been removed anywhere on the estate where it would materially assist fire spread from one flat to the one above. The cladding on the Caspian Quarter south of Handley Page Road, residents have been assured by Bellway, is safe, A2 graded material. He added that the RA and residents could also push for new decking to have proper drainage and privacy, meaning no gaps in the replacement decking. This was achieved by the residents of Samuel Garside House and Ernest Websdale House. These gaps are both a health and safety danger and allow an invasion of privacy.

Pete reported that according to communication from Encore (the managing agent for the Caspian Quarter buildings) to its residents, the company said that Bellway had conducted a series of intrusive inspections, but the results of these had not been entirely shared with Encore.

Encore's communication also said that it had started its own independent inspection and had "put in a claim with NHBC". Pete said it was important to clarify what exactly Encore meant by this NHBC claim. Is this to fund works to replace the eco-deck or to get the certification process funded only?

Following L&Q's remedial works to the balconies on its Verde properties on phase 2, a committee member and resident of phase 2 said he had sent an email to Bellway regarding cladding on Pedley House. The email mentioned how residents were highly concerned that the materials used to build the balcony decking failed to meet legal standards in regard to fire safety. The email also stated that, as a responsible builder, L&Q had already replaced this on all their properties on Phase 2 of the BRL development and had informed residents accordingly. The resident also mentioned that the government had already taken action to address the risks arising from balconies on new buildings in the revisions to the Building Regulations introduced in December 2018 and highlighted the fact that Pedley House was completed after this mandate and that residents were still in their warranty period.

Bellway had responded by highlighting that in the case of Pedley House, (unlike Caspian Quarter blocks), the eco-deck decking was placed on metal sheets preventing burning material falling to the flat below, or rising flames setting fire to the flat above, that residents were advised not to hold barbeques and that it was up to the managing agent to rectify any remedial works. The resident pointed out that this was not good enough as fire safety meant that flammable material should not be used in people's homes and it should be replaced.

Action: RA to write on behalf of residents to Encore about EWS1 plus a draft for residents to individually request their EWS1 forms. The RA to also contact BRL regarding Pedley .

3. Service Charge

A resident asked if it was possible for RMG and any other relevant managing agent to be present at the next residents meeting for residents to be able to question why the service charge keeps going up consistently over the past few years.

Action: RA to invite RMG, Encore and Pinnacle to attend the next resident meeting.

Pete reported that the RA wrote to a solicitor (James Garvey of Hockfield & Co) asking for advice on Samuel Garside House (SGH) residents being charged service charge while displaced, after the fire. The solicitor replied that without knowing the specifics of the scenario, he could only comment in general terms: "liability to pay residential service charges will be firstly governed by the contractual obligations and pre-conditions set out in the lease; and then subject to the statutory requirement for service charges to be reasonable."

Pete said that although his reply didn't address specifically the case where residents were not residing in the building where the services took place at that time, he pointed to the question of statutory reasonableness. The implication is that as far as the lease is concerned it's not relevant in law whether you are forced out of the block or not – that if the services were delivered, the residents have a liability to pay. However, the wider question remained whether the **statutory** requirement for service charges to be "reasonably" applied in the case where residents has been displaced from the building for the entire period of the service charge in some cases and for part in others, entirely due to failures on the part of the landlord and its agents. This is beyond the terms of the lease itself.

Action: the RA to follow up with solicitor. Meanwhile, residents were encouraged to reach out to local Councillor Bill Turner or Margaret Hodge MP for help.

Venilia raised that residents were struggling to pay their service charge and wanted to pay in instalments but were denied the option. Pete said that residents had reported that if they ask to pay in instalments, managing agents of Adriatic-owned properties will say no, but where residents had gone ahead and set up their own direct debit and communicated that to them, the managing agents had tacitly accepted it. He asserted that it seemed to him that a managing agent would be reluctant to take a resident to court for non-payment when the judge could clearly see a payment plan had been communicated to the managing agent by the resident, with payments set up and in process. What residents must not do is ignore their letters and bills.

A resident stated that it was far better to reach agreement with managing agents than not, and that persistence in stating an ability to pay in instalments but an inability to pay in one lump sum would succeed if residents go about it correctly. Pete deferred to this advice, and asked the resident whether she would be able to share with the RA the type of communications required.

Action: the RA to contact Encore to ease service charge payment conditions for residents, especially during the pandemic, which is proving to be a tough financial period for many.

Pete introduced Pam Ross to give her estates report. Pam asked if residents had any questions. Venilia asked Pam for an update on Pinnacle's contract since it is up for renewal and asked if there was going to be resident consultation and involvement. Pam said there is a six months' notice and that BRL was looking to conduct consultations with more resident engagement.

Pete mentioned that the Learning Forum, which was a group of residents learning about how the estate was run with the view to possible resident control over the Barking Riverside Community Interest Company

(CIC) in future, has been involved by Pam in the tendering process for a new managing agent for the estate, and that this was a promising sign of potential resident involvement, since the removal of Pinnacle as managing agent has been one of the recurring themes that the residents had expressed in majority votes at meetings going back to before he was elected chair.

4. Heating and hot water

A committee member and resident of phase 2 (Pedley House) introduced this agenda item. He reported that winter is approaching and that residents should be keeping an eye on their heating. There is an ongoing investigation by L&Q on the poor/lack of heating on some blocks on phase 2 and L&Q said it would soon communicate an update to residents (see L&Q letter under the addendum).

On Bellway properties (Pedley House) things seems to be slightly different, the resident said – there has been hardly any communication from Bellway.

The resident said that all buildings on phase 2 are the same (blocks built by L&Q and Bellway) so L&Q's report/investigation should be the same for Pedley House.

Water pressure

Venilia said that several properties on phase 1 have suffered from poor water pressure since Leep Utilities switched to smart meters in July. They had not succeeded in improving this pressure despite complaints. The RA will conduct a small survey of how many properties are experiencing this problem and will contact Leep Utilities directly on behalf of those residents.

Action: RA members to conduct survey and report on water pressure issues on phase 1.

5. Barking Riverside Community Interest Company (CIC) Learning Forum

Pete gave a brief update on the CIC Learning Forum (CIC LF), stating that the RA supported the original residents' governance model that called for a resident-majority board on the CIC, back when it was originally established and would put forward the resolution agreed by residents on this. He also said that RA officers (chair, secretary and treasurer) were to meet with CIC LF co-chairs to discuss the RA's proposed governance structure.

6. AOB

Smell

Pete said several residents have reported online that there is a bad smell lingering about on the estate. The RA had written to councillor Cameron Geddes about this. A resident and committee member who is compiling a detailed 'smell diary' plans to write to the council's air quality team demanding action on those companies that seem to be contributing to the putrid odour.

Action: RA to contact the council's air quality team and demand action.

Mosquitoes

Many residents continue to complain about mosquitoes on both phases of the estate. Venilia mentioned that last year the RA had approached Pinnacle with a proposal for water fountains and asked for a maintenance estimate but that was never delivered.

Action: RA to resume talks with Pinnacle/BRL for an estimate.

Meeting ended 9.13pm

ADDENDUM

Addendum 1

Police Update

The residents' association invited the police to attend the residents association meeting of Wednesday 23 September, but they were forced to decline. Instead they replied with the following email regarding the recent crime activity in Barking Riverside:

Thanks for your email and the invite to the meeting. Again I'm afraid I have to decline our attendance. I've tried to get Google Meet to work on our computers and it won't. There is a lot of security on our computers and pretty often things are blocked for us as well as our computers not being the best. Regarding the burglary that took place on Fielders Crescent my hands are tied a little with regards as to what I can disclose without the permission of the victims.

What I can say is that the matter is still under investigation and from reading the report of the investigation as it stands it seems that there is no evidence that a key was used to gain entry (in fact one of the suspects had a crowbar). Also, not to try to minimise the totally understandable upset and trauma that the victims have suffered but there were no threats made. From the overall circumstances it seems that this was an organised and specifically targeted crime unrelated to the location of the estate.

On the subject of the machete attack on the estate near to the basketball court the case is now closed with nobody being prosecuted as the victim will not speak to us. If he doesn't want to engage it makes an investigation essentially impossible.

On the subject of Fielders Crescent. I don't believe the area specifically lends itself to being a draw for crime. The only problem we're aware of at the moment are cars parking and causing anti-social behaviour at the bottom of Sweetgrass Terrace and both us and the Safer Estates Team are patrolling there and on the rest of the estate regularly to try to catch those responsible and discourage anyone else from hanging around there.

If any of the residents want to tell us about any other issues that we don't know about then we'll definitely do our best to sort out the problem.

Hope you're keeping well.

Kind regards

Gary Jones 1856EA

Thames SNT

Addendum 2

Committee member's report on Virtual Safer Neighbourhood Board meeting on 03.09.2020 (up to 25 participants)

The meeting started with the police giving an overview of COVID-related enforcement which has obviously been a big focus since this meeting last took place in March. The latest trend seems to be unlicensed music events (UME.)

Crime increase/decrease % provided per month, year-on-year (ie. March 2020 vs March 2019, etc.):

- burglaries - YOY decrease from March to July
- sexual offences - steady YOY decrease until July when there was a sudden spike (partially related to one serial offender)
- motor vehicles: theft from: decrease from March to July (e.g. July YOY decrease by 35% compared to 2019); theft of: decrease

Stop & Search - Around 25% of stop & search performed has a positive outcome (ie. something like a weapon is found) The police condemns the events happening in the USA (ie police violence) and there is a panel supposed to be overseeing Stop & search in the borough.

In terms of gang violence, the police officer on the call was of the opinion that “proper” gangs are not as prevalent in LBBD as they are in other boroughs, it's more to do with groups of youths than actual gangs, however the police is aware of 2 specific groups in LBBD fighting with each other. The police is working on outreach to people at risk of falling under the influence of gangs and other groups.

There is a programme which allows local police to be pulled into Central London if absolutely necessary (once signoff is obtained from relevant authority) in order to support events such as widespread protests, which has affected B&D Police capacity this summer.

Council capacity for noise nuisance etc response has been increased and there are now people available 7 days a week. Also council parking enforcement was increased and on weekends is now available until 2 AM.

Council talked about COVID-related enforcement such as premises not adhering to safety standards etc. Members of the public attending the meeting were able to suggest agenda items when signing up. The most prevalent theme in these suggestions was anti-social behaviour, noise, drunkenness as well as parking issues. A question was asked as to what the police see as the biggest issue/area of focus, the response was “violence” and the police are taking active measures to mitigate violent offences.

I asked about Thames Ward and specifically Barking Riverside in terms of police presence/visibility. The police officer asked whether incidents have been reported to the local ward (which I have) and I indicated that the local SNT does seem to respond when they can but they seem to be stretched very thinly. The response was that the police are concentrated “where the crime is” and that's where the bulk of the enforcement goes. At the same time the police indicated that they often see instances of people mentioning incidents to them but it turns out they weren't actually reported using the proper channels in the first place (ie SNT or contacting 101/met.police etc).



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Tuesday 15th September 2020

Dear Customer,

Barking Riverside – District Heating Provision

We hope you are enjoying your home at Barking Riverside and you have stayed safe during these unprecedented times. As you are aware L&Q Energy supply heat to your property through our district heating network, to facilitate the generation of heat and hot water within your home. L&Q Energy also manage and operate the heat generation plant which supplies every home here at Barking Riverside Phase 2.

With the winter period soon approaching and with the knowledge that some homes experienced issues with their heating last winter period, we are writing to you with the recommendation you try your heating before the cold weather arrives to make sure all is operating correctly.

For information, L&Q Energy are not responsible for your home's heating system (radiators, TRV's, room programmers). We are responsible for the delivery of heat to your home. This enters your property via our piped network and connects to the heat interface unit in your utility cupboard.

Should you notice you have an issue with the heating within your home, for example, radiator not working, or not reaching temperature, these need to be reported to your specific Developer's care line as noted at the end of this letter. Please note if you are a homeowner and out of the defect period you will be responsible for maintaining the heating system within your home.

If, however you experience a simultaneous loss of heat and hot water, this should be raised to L&Q Energy on 0333 003 3733 where a member of our team will assist you.

For information, we are aware that L&Q will be writing separately to all their Residents at phase 2 with an update on heating system matters, so please look out for this when it arrives.

So, just to confirm and recap, L&Q Energy are not responsible for your electrical supply, your in-home heating system, your domestic hot and cold-water system or your waste drainage within your home. Our role here at Barking Riverside is to supply heat to your heat interface unit, which we maintain, and we also supply the Guru Hub units in your hallways.

Useful Contact Details

Bellway Customer Care - essexcustomercare@bellway.co.uk / 01245 259 989
L&Q Customer care – lqaftercareeast@lqgroup.org.uk / 0300 456 9998
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Yours sincerely

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