

Barking Reach Residents Association Meeting Minutes

Wednesday 24th April 2019

7:30pm, Rivergate Centre

Attendance: 24

Guests: PC Gary Jones, PC Jordan Poole, Matt Scott, TWCP

Apologies: Iris and Claire from Participatory City

Meeting started 7.40pm

The agenda was agreed. It was agreed to take the Police before the minutes and matters arising as they needed to get back on the beat.

Guests: PC Gary Jones noted the section on security in the circulated minutes of the last residents' association meeting, which reported on the security summit which the residents association convened with the landlords and managing agents of the estate, arising from residents' growing concerns over security at the meeting previous to that. Gary reported that this information had not been passed on to the police. Gary reviewed the security situation on the estate. 4 reports of vandalism of cars and 5 thefts, mainly from vehicles, reported recently. This is lower than the average for the borough, reflecting the level of security arising from the design of the houses and blocks of flats, which are generally secure compared to the rest of the borough. He nevertheless noted our concern that there was a growing problem in the estate, a sense that it was being targeted by criminals and would make sure that they were present more often in the highlighted areas.

The local police patrol at various times, with shifts up to midnight.

There is anti-social behaviour which reaches the police only as hearsay, second hand, which they are unable to act on, so he urged residents to report crime to them.

In Ernest Websdale House, the problem with drug use in the basement carpark appears to have abated. Two people have been identified with the anti-social behaviour in the block. One has been issued with an eviction notice and one with a final warning.

Residents reported problems of youth gaining entry to blocks off of Handley page road: Cornelius, Sandy and Breacher houses were mentioned. Residents had challenged them and were threatened. The police were called. They were possibly looking to steal bikes, as several had been stolen.

The chair, Pete Mason, emphasised that residents should not intervene as it puts them at risk. Instead, bring problems to the notice of the police, the housing association or managing agent (L&Q, Southern Housing, RMG, Pinnacle Places) and the residents association, with a view to increasing the security. Gary confirmed this, adding that filming people can also provoke violence.

Gary advised that we advertise their police Safer Neighbourhood phone number, which is 07843065875. This can be shared on social media.

Gary reported that in fact the "buy one get one free" offer to get two extra police officers is a borough wide thing not for just this ward, so the offer that the landlord, BRL, has made to get two extra police officers will not double the police force in the ward as hoped.

Residents asked whether there were any plans to open a police station on the estate, given the size of the estate. Gary said that given the size of the ward it was likely the ward would be split with a resulting change in police force, that some sort of facility was envisaged when the estate was completed and that he understood that L&Q might be looking at more funding.

Minutes and matters arising: the minutes were agreed with two minor changes to them, that there were none opposed to the vote to have the AGM in June, and to change "Pete added that the RA maintains that no heating costs should be retrospectively charged until this is sorted out." To "Pete added that the RA maintains that no heating costs should be retrospectively charged."

The chair explained that it had been verbally agreed at all levels that it would be grossly unfair if residents were retrospectively charged heating costs after fifteen months, in addition to the lengthy heating failures which lead to the removal of Zing. L&Q was going to take charge of all block heating systems and the residents association had received a letter from Margaret Hodge MP, dated 20 March but only received last week, informing us that she had written to the CEO of L&Q, David Montague, asking him to address our concerns.

A resident explained that she had been without heating for a week, and that it was not acceptable that there was no direct contact with Pinnacle Power, that she had to go through RMG, that they were always waiting for parts.

Chair noted the number of heating related issues that had arisen in the last few days. That although RMG had suggested education for residents on how to operate their heating systems, he felt that the priority when L&Q took over, was that they should do a survey of every flat to see what the state of operation was, since it was clear that numerous problems existed in what was a complex mix of novel heating systems with many vulnerabilities noted by residents.

Participatory City

The treasurer, Venilia Amorim, reported on the nature of this body, its aim to increase participation of residents in society and that they would be invited back another time.

Service Charge

Pete Mason, the chair, reported that the RA has now had a second tranche of supplier invoices from Pinnacle that make up the costs of its estate charges which are part of residents' service charge, or all of it for house owners. These had yet to be analysed. The minutes reported that all the invoices had arrived but on close inspection half were missing and had been requested and had now arrived.

Pete noted that the first tranche of invoices were almost entirely made up of invoices from other members of the Pinnacle group of companies. This raised in our minds serious concerns that the Pinnacle Group was profiting from our service charge. The chair, while shocked, was not alleging that Pinnacle Places was profiting directly, which would be illegal, and on the contrary stated that there was nothing illegal in what was being done. But the cross charging between companies would allow for a legal profit mark-up, thus allowing the parent company or group to profit from the service charge residents paid. This he felt was breaking the spirit of the law. Now if Pinnacle Places could prove that they could not get more cost effective services elsewhere compared to service providers in the Pinnacle group, that would put a different perspective on it, but value for money was in question unless that could be shown. So this question would be put to Pinnacle Places by the residents association.

Secretary Nuno Amorim reminded residents that while we know that many residents have been refusing to pay, we cannot advise this, once demands have been issued. Our advice has always been to pay specifying you do so under protest.

Additionally, the RA still intends to pursue the issue of the 2014-15 s20b and certain invoices issued to residents, but holidays had cut across this. The lengthy delay in the arrival of the supplier invoices from Pinnacle, which were not available to inspect when we visited the premises, had forced the postponement of the planned second visit to the premises.

Chair noted that if there are sub-committees of residents formed, there is an opportunity to discuss with managing agents on how the next budget should be spent and that this should be advanced.

Barking Riverside Community Interest Company (CIC)

The chair moved that the meeting reconfirm the decision of the residents of 21st March 2018 that **'The residents should have a clear majority on the board of the CIC'** which had been passed by a unanimous vote.

This was again passed by a unanimous vote.

Pete repeated that the existing CIC constitution gives a majority to residents on the board of directors by 4 to 3 in its articles of incorporation, once the estate is finished. This constitution is being formally revised by BRL and the residents association had met BRL director Matt Carpen and Sarah McCreadie in an exploratory meeting and put forward the proposals circulated to the meeting (see appendix), which argue for resident control to be maintained. The RA will participate in the BRL review but without obligation to approve the final outcome and may withdraw at any time if it feels the review is manipulating the process. It will seek a memorandum of understanding on this and it will continue to report back to our RA meetings to preserve transparency.

The treasurer, Venilia, reported on the concerns that were raised about the process of the review as follows:

As previously discussed in several committee meetings and residents meetings, the RA maintains the view that the CIC's board should be resident majority-led and that there should be democratic elections for such positions, just as the articles of association of the CIC state: 7 board members, of which 4 should be residents, elected by the residents.

BRL is proposing a change to the CIC's governance structure, however, since this is a community interest company, it is in the best interest of residents that we as residents know what changes are to be made, but most importantly, **WHY**, especially to the extent that the CIC runs mainly on service charge money that we, as residents, pay into.

So, as a suggestion, the RA has proposed an open meeting or some sort of document (perhaps through BRL's resident starter pack that they have been preparing), to explain to residents WHY the CIC was formed in the first place, description of the current directors' roles and responsibilities, and historical finance transactions or actions taken since inception, in 2012. The reason for this is that all residents become aware of the CIC and we have a clear and transparent process for all, because many residents on the estate may not know what a CIC is, let alone that we have one and how it is being run.

In a nutshell, BRL's initial proposal for change is that over the coming months (Matt Carpen suggested 6-9 months, Venilia suggested 12) a learning forum is formed of various people belonging to various local resident groups. They would then be selected by a panel (which might be formed by a mix of people from other outside organisations, NOT BRL due to conflict of interest, of course) to become directors on the CIC's board.

The RA identifies a multitude of issues, mainly that not every single resident will be a part of such local resident groups, so they are automatically being excluded from this process. BRL has chosen to meet separately with such groups, and the RA is only one of them, yet residents look to it as their representatives.

Despite the agenda that each single group has, and we all have one (the RA's is to have a resident majority-led board elected by residents), all residents should have the opportunity to meet and to know of this proposed process, but most importantly to also have a say in how it is formed or changed. Matt Carpen clearly stated that what they presented was a mere proposal and that the RA's plan could also be a solution, so Matt agreed that he was not dismissing the RA's proposal shown in the appendix to these minutes.

The RA also stressed the need for an independent body to avoid conflict of interest in which the residents can ask advice in relation to all the issues that come with running a CIC for an estate that will grow to the size of a town like Windsor.

Any Other Business

Matt Scott of Thames Ward Community Project mentioned the aim of developing a citizen's charter by having conversations with as many as 1000 people in the ward. Chair proposed doing this in conjunction with campaigning on local issues such as parking and heating.

Saturday 4 May was agreed as the first date to begin campaign. Volunteers were chair, secretary and treasurer and other residents. Two residents additionally agreed to do their street as time allowed.

A survey sheet needs to be drawn up. Residents proposed online surveys such as Survey Monkey could be looked into.

The problem of dogs left off the leash roaming the estate and attacking people and other dogs was discussed. Treasurer to look into a public order act.

A resident enquired about contact office of L&Q for Estuary Close.

Date of next meeting is 29th May 2019.

Meeting closed at 9.15pm.

Appendix

Barking Reach Residents Association

The Barking Riverside Community Interest Company – our proposals 10/4/19

Introduction: A resident controlled body

The Barking Riverside Community Interest Company (CIC) was set up to run the Barking Riverside estate. The CIC itself was to be run by residents. This was set down in the Articles of Incorporation of the company – the rules it is supposed to abide by. These rules must be registered with the government body which ensures companies follow the law. They were duly registered with Companies House on the 13 January 2012, and are publicly available.

These articles state that for every 2500 homes (or for each of the four phases of development) there will be a resident elected onto the board of directors of the CIC (see point 1.38 on p.54 of the pdf of the Articles of Incorporation, and point 23 on p.38-9).

When the estate reaches its full size, and certain criteria of occupancy and self-sufficiency in funding are met, the articles provide for four elected resident representatives. The founding four directors, appointed to the board of

directors were then to retire (see point 23.7) and were to be replaced by three appointed directors, giving the four residents a majority of one.

Barking Riverside Limited has begun a process of revising these rules. The proposals below are our submission to the drop-in consultation of 11/4/19 which is gathering ideas for the amended constitution to the CIC. This submission was proposed by the BRRA committee and discussed at a full Residents Association meeting on the 19/7/18.

The Barking Reach Residents Association's proposals

Governance: Residents majority on board of directors of CIC

The residents association declared at its meeting on the 21st March 2018 that **'The residents should have a clear majority on the board of the CIC'** by a unanimous vote.

Mechanism of elections and accountability

We propose that residents should be elected through meetings organised by the Barking Reach Residents Association. We propose not one but four residents per phase, making a final sixteen elected residents on the board of directors, with appointed non-resident members not to number more than ten. That while [the estate is] under construction, residents should maintain a majority of two.

The CIC board of directors' meetings should be held in the evenings because most residents work during the day. Residents elected to the CIC will be expected to present the deliberations of the CIC (both past and upcoming) to the monthly resident association meetings and other means of communication for open and transparent discussion. They should not expect remuneration or other pay-offs and should be subject to recall on a two-thirds majority vote of a special general meeting of the RA should residents feel they urgently need replacing.

Minutes should be made available for inspection by the residents. Proposals put to the CIC board by experts in various fields will be thoroughly discussed and the elected majority residents' decision will be final.

Areas of governance

We propose that the CIC has oversight over all aspects of work currently operated through the managing agent and has power over contractual agreements with such managing agents, and other related services such as parking control (currently Link Parking) in order to have genuine managerial control over the estate. No areas to be excluded from the CIC's oversight, except where, similarly, an elected council has no oversight.