

Waterways Management Company AGM 23 April 2015
The Report of the Chairman of the Management Committee

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This is the 8th AGM of the Waterways Management Company (WMC) since the owners of properties on The Waterways took over management of the Company.

Some of you are new owners and we recognise that you may not be familiar with the workings of the Management Company; you will find an appendix attached to this report which gives a brief explanation of the Management Committee, the Company's main operating body.

However, for many of you this is the eighth time you have attended an AGM, so I will move straight on to my report for the year.

We set ourselves three objectives for 2014/2015 which were:

To produce a plan of action to resolve maintenance issues relating to the Frenchay Road culvert and the wildlife corridor watercourse

The improvement in the water flow in the western site of the Waterways is evident for all to see and smell! A great effort has been made by a small, dedicated team of directors with great support from another Waterways resident and wildlife expert. You will hear more of this in the Gardening Sub-Committee report.

In fact we do now have a plan of action to resolve the maintenance issues and we have this group of people to thank for that.

To secure the transfer of the freehold land of the Waterways development from Berkeley Homes to the WMC

I reported to you last year that a final map, showing definitively which areas of the estate were ours to manage had not been given to us by Berkeley Homes, the owners of the land and communal areas of the apartment blocks, even though as a Management Company we are responsible for management.

Berkeley Homes helped us by employing the watercourse engineer and by attending meetings last year to try to solve the problems caused by silt. They also repaired two apartment block lift pits this year and reinstating the lift machinery.

The final OS Land Registration Map was finally given to us by email in December when we asked Berkeley Homes to help us define our western border with Network Rail.

This transference of the freehold of the land of The Waterways will remain an objective next year. We will be seeking help from a surveyor to check on this map and a lawyer to explain the difference to the WMC of ownership rather than management of The Waterways. When the Waterways Management Company takes over ownership each person who owns property, will have a 401th share in this land and these communal areas.

Embed the managing agent assessment process within the work of the Committee and Sub-Committees of the WMC.

Over recent years the Scrutiny Sub Committee has been establishing a system of rating operational activities, awarding OM scores ranging between 1 & 5. This year that rating system was re-evaluated and the various sub committees have now taken on the assessment of our Managing Agents, OM, or as they are soon to be named 'First Port'.

It has been a very busy year for the WMC Committee as we have had to face a number of unexpectedly difficult problems. The next year is not likely to be any easier which is why we are asking you to vote to raise the number of directors on the committee to 14 this year.

Following the AGM last year, when WMC members voted to accept the 'Guidelines for Development on The Waterways', Cllr Liz Wade suggested we conduct a Character Assessment Study of the estate. This is an exercise being promoted by the Planning Department of Oxford City Council. A group of 3 directors and another member then divided The Waterways into areas and after initial discussions with Cllr Wade and with the Oxford City Guidelines we are writing a **Character Study** of our streets. Technically we lie outside the North Oxford Conservation Area but draw heavily on it in terms of its buildings and street arrangement. This document will be kept within the City Planning Department for their reference when planning applications are submitted and evaluated.

The other major event for the year was the sudden discovery of the planned change to the use of the railway lines to our west. Chiltern Railways gained permissions to use the previously little used branch line to Bicester for Evergreen3, a twice hourly train service to Marylebone Station, London. This was not unduly concerning and, in fact, gave residents an additional railway connection to London. However, Network Rail, the owners of the railway lines, got permission from the Government to take over this line for a new **East-West Rail** scheme taking advantage of the Evergreen3 accepted permissions. You have all received letters from me explaining the poor communications that left The Waterways out of any consultation process. Lyn Bibbings from Stone Meadow realised that the new railway plans were unclear and started to investigate. This new line will eventually take large numbers of both passenger and freight traffic through to Cambridge and further north, but our section is the first part of this new East-West route.

Thanks to Lyn's hard work and with support from the already established groups from Wolvercote and Lakeside, on March 5th the MP for Oxford West & Abingdon, Nicola Blackwood, chaired a meeting in the Summertown Community Centre. She invited Claire Perry, the Under Secretary of State for Transport to attend to hear from the various railway providers, Oxford City Council and the residents along the line.

It was a packed meeting. The fact that Network Rail had not submitted their plans in the agreed sequence and timescale was compounded by the inaccuracies in the papers they had submitted. There was concern that the residents beside the new East-West Rail route would be given no protection from the increased traffic, particularly the huge increase in freight traffic, but at the meeting Claire Perry said. "This is a local decision".

Fortunately the Oxford City lawyers have now understood how many liberties Network Rail have been taking and they are now fully engaged with Network Rail. The details of this can be accessed on the Oxford City Council's Rail Developments webpage:

<http://www.oxford.gov.uk/PageRender/decVanilla/RailwayDevelopments.htm>

I have three sets of thanks to give on your behalf.

Firstly, we are very grateful to the OM Property Managers, Rebecca Hill, who is now on maternity leave, and her replacement Jeet Gill. Operationally, they have been very committed to our interests and they have worked co-operatively with the WMC Committees. They have helped us make good progress in a number of situations which are outside the experience of any Property Manager, especially as far as the watercourse is concerned.

I would also like to thank all the directors who have worked so hard this year when so many things were happening. They have had to research and undertake tasks with no precedents but they have all risen to the challenge and found empirical and pragmatic solutions, or ways forward to all the problems. There are very few estates which are as complicated as The Waterways. We have to deal with so many outside agencies that we need to stay constantly on the alert and ready to respond.

We are also grateful to our members who have informed us of threats to our interests as residents, as has happened so many times recently.

The committee have worked exceptionally well as a team this year and I am really pleased that so many of them have agreed to stay on the Committee to continue with the work.

There now follows the reports from the Sub-Committees of the main Management Committee.

Louise Robertson

Chair WMC

Gardening Sub-Committee (GSC) report

Removal of silt from the watercourse

As last year, the removal of silt and reeds from the watercourse has remained the main issue that the Sub-Committee has had to deal with this year. You may remember that last year we reported a considerable degree of frustration in our attempts to clarify the problem of the large amount of silt that has built up in the watercourse, particularly in the balancing pond that runs at right angles from the canal under Frenchay Road to the wildlife corridor, and the wildlife corridor itself down to the Trap Grounds. Surface water from the east side of the estate drains into the lake and thence is pumped into a swale or ditch along the south east boundary to where it combines with a Thames Water pipe draining the Woodstock Road into a siphon under the canal and into the balancing pond. The water has not been draining properly from our swale into the siphon, and so potentially caused flooding in parts of the estate upstream. An emergency cut drains water directly from the swale into the canal to prevent this flooding and we currently pay the Canal and River Trust £12,000 per year for a licence to permit this.

It has become clear that this potential flooding problem on the east side of the estate has some direct link to the build-up of silt in the balancing pond, silt which almost certainly comes from the road run off from the Woodstock Road. It may be that at some point we will pursue some form of redress from Thames Water and/or the County Council for this silt which is passed onto us as a problem to deal with. But for the time being, the priority has clearly become the need to remove the silt from the system as quickly as possible. Now that we have a clear focus for our efforts, I am pleased to report that considerable progress has been made this year in removing the silt and we are sure we are now on the right track. A small group of Directors, aided by the specialist knowledge of one of our members, Dick Mayon-White, to whom we must give great thanks, has researched and employed several specialist contractors to remove the silt and build-up of reeds in stages from the balancing pond. Also in September a group of residents worked for the second year with a task force from the Oxford Conservation Volunteers (OCV) for one day to clear some of the silt and reeds from the wildlife corridor, and we must thank OCV for their hard work and expertise. Already these actions have had a beneficial effect. There is still work to be done but the water level in the system is now considerably lower and the flow of water is faster. Water from the east side of the estate is now flowing considerably more quickly through the siphon under the canal but still not quickly enough for us to abandon the emergency channel to the canal and so save the payment to the Canal and River Trust. We hope we may be able to cancel this arrangement and payment soon when the clearance work is complete, although it is still logically possible that there is another partial blockage somewhere in the underground system that will need to be cleared.

Some of the silt removed is being spread along the banks of the wildlife corridor where it will eventually be seeded with grass but most of it is being pumped into special silt bags located at the north end of the estate in an empty area next to the boundary with Hook Meadow, where it can be spread over the ground there or kept in the bags (which will eventually rot away) and then also be seeded with grass. We have had the silt tested by a specialist and this analysis has revealed some metal contaminants, particularly lead impurities, almost certainly left over from the days of leaded petrol and paint, but at sufficiently low levels not to require specialist disposal or cause any concern to health.

This work is inevitably expensive, something over £40,000, plus the payment to the Canal and River Trust, and is being paid for by a contribution from our reserves plus a small extra service charge. In future, we plan to allocate the money currently paid to the Canal and River Trust to a regular maintenance plan for the watercourse, so that this large build-up of silt and reeds does not happen again.

Trees

You will remember that last year we reported that the Canal and River Trust had started to cut down the large black poplar on the green by the canal path, on the grounds of safety, despite the fact that the tree was listed. There was no consultation with us at all and we complained to the Council, but unfortunately the Council decided to take no action. We commissioned a report on this tree from a specialist tree surgeon which said that the tree was now unbalanced and unstable. Therefore, with regret, we had to considerably reduce the height of the tree and will have to fell it completely in then not too distant future. These trees are actually not that long-lived, as trees go. However, to compensate, we have planted two new trees, one on either side of the poplar, the one to the south an evergreen holm oak and the other a sweet chestnut.

You have had a report of the railway line developments along the western edge of Stone Meadow and Cox's Ground. Between the end of the gardens of these houses and the boundary fence with Network Rail is a line of trees on WMC land, some of which are quick-growing poplars. These need coppicing regularly, otherwise they can present a danger if they get too tall and brittle. This was last done in 2007 and we hope to do it again this year. We plan to take advantage of the period of closure of the railway line to Bicester for track-upgrading to do this work in a more cost-effective way, without having to take into account a live railway line, and we hope to work with Network Rail's Environment Officer to achieve this.

Parking problems around the estate

Inconsiderate parking and parking by commuters and shoppers are an increasing problem around the estate, particularly as parking is becoming more restricted around Oxford and people seek out the remaining free parking spaces. Parking in several areas is quite dangerous and/or causes serious obstructions, such as Elizabeth Jennings Way near Clearwater Place, the mini-roundabout by the lake the end of Frenchay Road by the bridge and the mini-roundabout between Stone Meadow and Cox's Ground. The Chair raised these issues with our County Councillor, John Howson, and a site meeting was held with him and a representative from the County Council Highways Department to show the problems. The Council has come up with a plan to extend double yellow lines in parts of Elizabeth Jennings Way and to put double yellow lines and designated parking bays in Frenchay Road. This would be a trial phase 1 to deal with immediate safety issues before considering moving on to further action. At the time of writing we have no information as to when this work might happen, and it could be subject to the budget being available. It seems likely that the problem of increasing commuter and shopper parking on the estate will only be solved in the long run by a residents parking scheme throughout, but this would involve the Council conducting a formal consultation exercise with residents.

Graffiti busting

We are working with the Canal and River Trust to eliminate the extensive graffiti on the brick walls next to the canal underneath the Elizabeth Jennings Way and Frenchay Road bridges. We are gathering some volunteers from the estate and the Trust will provide supervisory staff and specialist equipment (including new, environmentally harmless chemicals). The Waterways graffiti-busting event has been arranged for the weekend of 13/14th June 2015 and it will be advertised nearer the time. If you are free that week-end, even if only for an hour or two, your help would be very welcome.

Bicycle cull

A cull of abandoned bicycles around the estate has been carried out. Likely-looking bikes were tagged and owners were given plenty of notice to remove the tags if the bikes were still wanted. Of the 77 bikes which had been tagged, 48 were been removed from site free of charge by a contractor for refurbishment, recycling or scrap. Another cull is being planned, this time to include the bike stores on the east side of the estate. We are grateful to directors and other WMC member volunteers for undertaking this work.

Paving slabs and pathways

Broken and dangerous paving slabs have been replaced on a regular basis during the year. However, it was stated last year that a major pathway replacement programme was planned, particularly on the west side of the estate, to replace the current thin and weak slabs with thicker and stronger ones, which would have a better chance of surviving vehicles being driven over them, which is the major reason for current breakages. Because of the continuing expenditure needed for the watercourse silt clearance programme, this has not progressed this year. However, it remains a major priority for funding when the current silt clearance work is completed.

Adrian Olsen

Director

The Apartment Block Sub (ABSC) Committee report

As the estate ages internal and external maintenance is increasing in extent and cost. Members of the ABSC meet quarterly to oversee all issues concerning the management, maintenance and smooth running of the apartment blocks. A regular redecoration and update is currently in place. This year we are planning to replace all internal carpets in communal areas.

Lifts

We were concerned that last year a few of the 13 lifts on the development were out of action for a variety of reasons. After pressure from the committee Berkeley Homes accepted responsibility for the lift failures and tanked two lift pits. This is an area where, in future, contingency funds will be accrued to ensure that lift maintenance is a priority.

Dual TV feed

We are in the process of finalizing the installation of dual feel supply and you will shortly be receiving a letter from OM asking if you require the service in your block.

Security and Mail Boxes

Fortunately we have not received any further reports of theft from mailboxes. This is largely due to a change of mailbox style in one block while others have chosen to turn off their trades' buttons and supply a key to the local postman.

Finally we ask that residents continue to play their part in taking care of the communal areas insuring that the main door is locked at all times to prevent intruders, keep all areas free of personal belongings and to respect fellow residents parking spaces.

Paula Reynolds

Director

The Scrutiny Sub Committee (SSC) report

The Scrutiny Sub-Committee has continued its work to look at performance measures against which OM or any alternative Management Company can be judged. As mentioned in the SSC report for the AGM last year, a system has been established to rate OM's activities, giving a score between 1 & 5. We have now introduced this system to the other Sub-Committees, Gardening and Apartment Blocks, and they will be reporting back to the SSC on the relevant activities which affect them on a 6-monthly basis.

We have looked at the Reserve Funds in depth with OM (and in particular to form a plan relating to cyclical maintenance) to make sure that these funds are administered fairly and accurately reflect the needs of the estate. We have also looked at the performance of OM's Customer Care team and OM's procurement process for employing contractors.

This committee, with the addition of three new directors, is now gaining momentum and we look forward to our work in the coming year to continue to monitor the health of the estate.

Mary Tovey

Director

Report of the Treasurer of the Management Committee 2015

As in previous years, the presentation of the accounts reflect the fact that WMC now functions as a "Trust and Management Scheme" following a change in company law (Landlord and Tenant Act 1987, Section 42). All assets and liabilities are held in trust for company members, and you are now receiving a simplified statement which explains the contributions you are making for your property but does not

include detailed information on other properties. Information on the full estimate of service charge is available on the "Your Property Online" website for those residents who have subscribed to the service.

The accounts were issued to all WMC members on 29 October 2014. I will talk about how things are going in the financial year and the estimates for 2015-2016.

In **2013-2014**, you contributed **£367,383.71** in service charges. **£103,672** was added to the Reserve Funds for the year. However, **£58,934** was used from the existing reserve fund for major expenditures incurred.

As always, our managing agents, OM Property Management, have worked hard on producing a realistic budget for 2015-2016 and I would like to take this opportunity of thanking Jeetindar Gill and Nagheena Murrad, our accountant, who have been extremely helpful to me. We cannot rule out the possibility that actual expenditure will be higher than the estimates, and adjustments may need to be made once the accounts are finalised.

At a recent management meeting held on the 10 March 2015, it was agreed that we would increase the annual contribution to the Reserve Fund for the Estate Costs (Schedule 1) by **£40** per property.

Service charge estimates for the next financial year have now been issued.

Mary Tovey
Treasurer, WMC

Appendix

The Waterways Management Company, (WMC), was originally controlled by the developer of The Waterways, Berkeley Homes. In November 2006 Berkeley Homes handed over control of the WMC to 'the residents', in the form of a Management Committee of Directors, each of whom, as an owner of a property on the Waterways, was a Member of the WMC.

The Management Company is a properly constituted Company, registered with Companies House and therefore subject to laws about the way we conduct our business. Anyone who owns a freehold house or leasehold apartment is a member of the Company. There are 401 such properties and so there are 401 members of the Company. You may hold that membership outright or if you own your property jointly with someone – such as your spouse – then you hold your membership jointly with them too. If you own more than one property then you are a member as many times as you have properties. That is why tonight some of you may be sharing a voting card and others perhaps have more than one. In every sense the Company is its membership: we own it and we run it.

The Directors on the Management Committee who act on your behalf are not experts in property management (we are ordinary members like you) and we are all unpaid volunteers who undertake WMC responsibilities in our 'spare' time. If we were to try to manage every operational detail of an estate as big as this it would be an immense task so we contract the day-to-day management of the Waterways to OM Property Management, our Managing Agent. OM oversees the work of those sub-contractors who deliver services on site, such as the cleaning of the communal areas to the apartment blocks or the care of areas of landscape planting. All queries about the management of the estate should therefore be directed in the first instance to OM. They are responsible for ensuring the Company meets its day-to-day responsibilities, and a great deal else besides. OM answer to the Management Committee, and in turn we answer to and are accountable to you, and tonight's AGM is an important part of that relationship.

The Company exists primarily (but not exclusively) to look after the communal areas around the Waterways. This includes for example

- the communal gardens and other areas of planting such as the wildlife corridor
- the communal areas of the apartment blocks
- part of the lake off EJW, including a pumping station, and various parking areas & access ways.

We are not responsible for everything, for example, the main roads are the responsibility of Oxfordshire County Council, the equipped play areas are the responsibility of Oxford City Council, and 130 properties are owned and managed by the GreenSquare housing association. Also, Woodstock Lodge is not part of the Waterways and is managed separately.

The Company can act as an association of and for the property owners but should not be confused with the Waterways Residents Association CIC (WRA). The WRA is open to all residents. We work closely with the WRA but we are quite distinct and separate organisations.

You can always find information about the Management Company, and the Management Committee, on 'The Waterways' website 'thewaterways.co.uk'.