

Waterways Management Company 10th AGM 27 April 2017

Annual Report of the Management Committee for 2016-7

Report of the Chair of the Management Committee

This is the 10th 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 ninth time you have attended an AGM, so I will move straight on to my report for the year.

The Management Committee set itself eight objectives for 2016/2017 which were:

- 1 *Produce a maintenance plan for the watercourse*
This has been done. See Gardening Sub-Committee report.
- 2 *Acquire the freehold of the estate from Berkeley Homes at a suitable time*
This has again been held over until such time as we think that all Berkeley Homes responsibilities regarding the watercourse have been explored.
- 3 *Support members during the construction and implementation of the new railway line*
The Chair has kept in touch with developments and acted as a link and spokesperson for the estate. However, the eventual outcome from developments this year is not at all positive for Waterways residents, particularly those who live next to the new railway line.

Network Rail erected a noise barrier along the western edge of the estate and also installed replacement acoustic double glazing in some windows of eligible houses along Stone Meadow and Cox's Ground. Residents seem to think that the new glazing is particularly successful. And this is positive.

However, Oxford City Council had also imposed two other conditions on Network Rail – to install rail damping in the form of Silent Track and to limit the total number of trains that could run on the new line. Network Rail appealed against these conditions and the West Area Planning Committee (WAPC) twice rejected these applications; however, in March the Planning Review Committee (PRC) overturned these WAPC decisions, based on the advice of a QC and officers that the council has no powers to impose these conditions under the policy and regulations which it is obliged to implement. It is widely felt that these policies and procedures are unfair illogical but have to be followed nevertheless. So there will be no Silent Track or limits on the number of trains. This is particularly worrying given the number, size and speed of freight trains that will use this line, especially at night, and this will be even worse as the materials for the now-approved HS2 line will use our line. At the time of writing, we are working with the group in Wolvercote to see if a legal challenge can be made in relation to the PRC's interpretation of the

procedures and the advice it received.

4 *Produce a plan for the lakeside trees and vegetation*

This has been partly held over to a future year. See Gardening Sub-Committee report.

5 *Produce an asset management plan for the apartment blocks*

This is being finalised. See Apartment Blocks Sub-Committee.

6 *Carry out exploratory work for the tendering of the managing agent contract*

This has been done. See Scrutiny Sub-Committee report.

7 *Explore the desirability and practicality of CCTV for apartment block*

This has been done. See Apartment Blocks Sub-Committee.

8 *Tender out the contract for the auditing of the WMC accounts*

This has been done. See Treasurer's report.

Finally, we have produced a new and updated version of the Welcome to the waterways booklet, which now includes a plan of the estate. It is surprising how many people do not know who is responsible for different areas of the development.

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

Firstly, we are very grateful to the FirstPort Property Managers Rebecca Burt and Rachel Dolacinski. They have been very committed to our interests and they have worked co-operatively and very well with the WMC Committees.

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 for 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 kept us informed of issues around the estate and also been involved themselves in a number of activities.

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

Adrian Olsen, Chair, Waterways Management Company

Report of the Gardening Sub-Committee

With our gardeners, Evergreen, we have made excellent progress this year. As we are no longer having to pay the licence to overflow the water from the lake into the canal we have spent money on other work including bark coverage for the flower beds which has greatly livened up the look (and smell!) of the Waterways, new plants to replace those that have died, and reducing and managing the mature trees on site. It was as a result of this maintenance that the strong winds of Storm Doris in February only damaged two fence posts and none of the tall trees that surround us.

Tree work

The main extra expense for the estate this year has been reducing the trees between Stone Meadow, Cox's Ground and the new rail line to Bicester. We knew that, as the only window to do this work to the trees was when the line was closed, it had to be completed by mid-November 2016. It took almost ten months before our Property Managers First Port were eventually put in touch with the correct branch of Network Rail who could liaise with us on this project. The Network Rail contact we were dealing with accepted responsibility, but did not in fact work on our section of the line! This work was managed jointly by our tree surgeons WMC and the tree surgeons employed by Network Rail. This has altered the area between the houses and the new barriers; only a few of our trees had to be felled because of root interference caused the erection of the noise barrier but most trees on the Network rail side were felled. However, we are working with Carillion (the main contractors) and Network Rail to replant this area with more native trees and shrubs. This may be done in conjunction with the Woodland Trust, with the aim of strengthening the wildlife link between Hook Meadow to the north and the Trap Grounds to the south, although any replanting will not be done until next autumn/winter.

Lake-side work

The regular pruning and thinning of trees and shrubs along the lake area has been carried out. However, we have decided not to do any further significant replacement work for the time being as major work elsewhere has had to claim the lion's share of the budget. But we will keep the matter under review.

The priority work for the lake-side area has been to respond to the requirements of the latest Health and Safety Review of the estate. This required us to make safe several areas along the lake where access was too easy, particularly for children. As the lake is very deep, safety is our prime concern and so we have erected two sections of wooden fence in the relevant areas, at the southern end adjacent to the mini-roundabout on Elizabeth Jennings Way and at the far northern end. We also took the opportunity to erect two sections of strong chain-link fencing hidden in the vegetation where people gained access to the lake for illegal fishing.

The watercourse and the silt problem

Noticeable progress has also been made to the watercourse. After relentless persistence by directors in the Watercourse Sub-Committee the quality of the water has greatly improved. We still have to deal with vast tons of silt coming through from the Woodstock and Banbury Roads and the network of Summertown roads but we understand the system better and are developing a long-term plan to manage it, based on clearing the balancing pond and the main wildlife corridor stream at set intervals. Also a meeting will be convened with all the relevant agencies including Thames Water to try to engage their help. Dick Mayon-White, a resident who has been a great help to the committee in this matter, has installed a higher barrier in the brick culvert at the southern end of the wildlife stream next to the Trap Grounds and this has raised the water level by a few inches. This will be of benefit to wildlife and will also cover up any silt in the system, thus reducing any smells.

The Big Dig this year included a Big Rake to clear away the cut grass from the wildlife corridor as well as the deepening of the watercourse. Subsequently, eight varieties of native bog and marginal

flowering plants have been planted next to the stream and these should come into flower this summer and establish themselves in future years.

There was another major raw sewage leak, this time from our streets into our wildlife corridor next to and into the Trap Grounds but, as WMC and the Friends of the Trap Grounds can now alert the Environment Agency directly, pressure was put on Thames Water to attend quickly to rectify the cause. The cause was a blocked drain caused by nappy liners being flushed into the system in Frenchay Road. If it were not for vigilance of friends and neighbours, particularly the Friends of the Trap Grounds and the pressure from the Environment Agency, the problem could have been worse.

Damage

The Garden Sub Committee and our gardeners work very hard and take great pride in the appearance of the gardens. Unfortunately, groups of children this year have damaged the ornamental trees in Stone Meadow and some planted areas by the watercourse. There are sufficient things to climb within the City playgrounds without climbing flowering catalpa trees and breaking their branches. We ask parents to speak to their children to explain that once a tree branch is broken it does not grow again, nor do fritillaries flower once they have been trampled underfoot!

Oxford Canal Mural Project

The highlight of the year was the painting and launch of the canal-side murals on the four walls under the Elizabeth Jennings Way and Frenchay Road bridges. A number of children contributed their ideas for the murals as part of our Oxford Canal Mural Project and these were incorporated into the design of one of the murals. This project was another opportunity for Waterways residents and near neighbours to work together and with the professional artists who painted the designs chosen at an art display on the Green. At the WRA summer barbecue in September, the BBC Arts Correspondent Will Gompertz, a north Oxford resident, came upstream on the narrow boat of one of our boating neighbours to cut a ribbon and celebrate the 'opening' of the murals. The depressing, graffiti covered walls have been transformed by these lively murals and more designs will be painted on the side arches on the Frenchay Road Bridge this year to illustrate the varied wildlife in the Trap Grounds. There have been generous donations from Councillor Liz Wade from her community fund, from First Port and Evergreen, our gardeners, as well as from the Friends of the Trap Grounds for these additional murals.

The project has been entered for the Living Waterways Awards run by the Canal and River Trust.

Parking

Thanks to pressure from Councillor John Howson the double yellow lines were eventually painted on the dangerous bottleneck in Elizabeth Jennings Way and we await the next consultation for double yellow lines in Frenchay Road. These lines will be positioned so that should restricted parking bays be introduced the lines will be correctly situated. We realise that these works may exacerbate the commuter parking problems elsewhere on the estate and our view is still that a residents parking scheme is probably the only long-term solution to this problem. In the meantime, several bollards guard, so far successfully, the mini-roundabout where Stone Meadow and Cox's Ground meet.

Bike culls

The two 'bike culls' last year made a huge difference to the bike stands and another cull will be organised later this year. Clearing the bike stands also gave an opportunity for many of these stands to get painted

Louise Robertson, Chair, Gardening Sub-Committee

Report of the Apartment Blocks Sub-Committee

The Apartment Block Sub-Committee is responsible for the largest budget on the Waterways.

As the estate ages, repairs and maintenance are increasingly complex and expensive.

So far this year the following works have been undertaken and many completed.

Flat roof replacements

It has proved difficult to find a company willing to take on this volume of work and provide a 20 year guarantee. Nine companies have been asked to tender and only one has responded. We are trying to identify further appropriate companies and also considering dividing the work into small packages of two to three blocks in the anticipation that some contractors will be prepared to quote.

SKY update to dual feed

All Sky systems installed in apartment blocks have been upgraded to a dual feed system to ensure that they are compatible with the latest Sky packages, including SKY-Q. This work has been completed free of charge.

Carpet replacement and internal/external redecoration

The work is ongoing and we anticipate completion as per plan during the course of 2017.

Short-term lets/Airbnb

Lettings of less than six months are against the estate's regulations laid down by the Management Committee. Several apartments have been identified as being for let via Airbnb, possibly by tenants sub-letting, and after warnings First Port has referred several home owners to their legal team to take action. Short term lets are a potential threat to the security of our community and owners are asked to check in particular that their tenants are not sub-letting via organisations such as Airbnb without their knowledge.

CCTV

After consultation, CCTV is currently being installed in all the apartment blocks that agreed to it, with an additional system in the refuse store in Clearwater Place. The footage can only be accessed by our First Port managers and will only be reviewed if an incident is reported. We will now be able to assist the Police with valuable information, if required to do so.

Lifts

Following the recommendation of an inspection, all lifts have been updated to comply with Health and Safety regulations.

Homes in Multiple Occupation (HMOs)

HMOs are a breach of the terms of the lease for apartments and of the legal transfer document for freehold houses, and any reported HMOs will be formally dealt with by the FirstPort legal team. HMOs have to be registered with the city council which has informed us that they cannot refuse to register any applications coming from the estate.

Asset Management Plan

We have commissioned a 20 year asset management plan for each apartment blocks and these are being finalised. They identify all the anticipated regular maintenance and replacement expenditure on each block over the next 20 years with a timeline, and this will guide us in budget planning for future years, particularly in estimating the reserves that should be allowed for each block. As a result it seems very likely that reserves will need to be built up in coming years to meet the expected future needs.

Balconies and window boxes, etc

According to the lease, window boxes, tubs, and similar items on balconies need the permission of the WMC. The Management Committee decided to grant a general permission for all such items (but NOT barbecues, naked flames, etc.), as long as owners/tenants took responsibility for all Health and Safety or maintenance issues and it reserved the right to refuse permission for inappropriate items/use.

The projects undertaken so far this year have caused considerable expenditure. When complete we will know the amount of money we will need from each individual reserve fund.

Finally, we ask all residents to continue to play their part in caring for the communal areas by keeping them clear of personal belongings and ensuring that the main door is always locked. Please respect the parking spaces of other residents which are allocated and at a premium.

Paula Reynolds, Chair, Apartment Blocks Sub-Committee

Report of the WMC Treasurer for the financial year 2015-6

As before, 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 subscribing to this service.

The accounts for the financial year 2015-16 were issued to all WMC members on 1st November 2016. In the financial year 2015-16, the actual spend across all schedules was £416,283.21, against an estimate of £420,692.00. The total closing funds/reserves, which are allocated individually against each schedule, were £633,294.56.

As we said last year, the reserves for each schedule have been increased steadily in recent years and the Committee intends to continue this process. This is considered prudent and necessary because, as the estate matures, significant extra maintenance, repair and replacement costs will inevitably occur. An asset management plan for the apartment blocks on the development has been completed and will be used to allow FirstPort to review the reserve funds being collected more accurately. Redecoration and re-carpeting are now being carried out in those apartment blocks identified as being most in need. One major item of expenditure in the foreseeable future is the making good and replacement of the flat roofs. A surveyor has submitted a report and identified which apartment blocks are most urgently in need of remedial work. Inevitably, this means that there may be a slight increase in the service charge for the coming year in order that we may ensure that the reserve funds stay in a healthy state. We will also need to refurbish some of the car parks and paving areas in due course.

As mentioned above, when looking at expenditure through the year we try to strike a reasonable balance between reducing or not increasing the service charge and maintaining an adequate reserve against future events. We cannot rule out the possibility that actual expenditure will be higher than the estimates due to unforeseen circumstances, and adjustments may need to be made once budgets are set. Service charge estimates for the next financial year 2017-18 will be issued in due course.

Mary Tovey, Treasurer, Waterways Management Company

Report of the Scrutiny Sub Committee

The Scrutiny Sub-Committee and the other Sub-Committees carried out its regular review of the performance of the managing agent. This was favourable and in particular we felt that the new arrangement of having two Property Managers working in tandem on estate matters was proving very effective. There have been no complains on the feedback link for some time. We did however take up several matters with FirstPort management, particularly the feeling that there was occasionally insufficient communication between the Property Managers and the Customer Services section. As a result liaison between the two has been reorganised and we think that things are generally now much better. We will obviously keep this under review. Also FirstPort has set up a new customer email address specifically for the Waterways.

At the last AGM a motion to tender out the managing agent contract was defeated but it was suggested that the committee could look into this matter. This has been done and we have investigated the potential market. However, given the positive performance review mentioned above and the very time-consuming and risky nature of such an exercise, the Management Committee agreed unanimously that there was no pressing need to take this further at the present time, although it will be kept under review. The Management Committee felt that generally the estate was being well-maintained at the moment.

Adrian Olsen, Chair, Scrutiny Sub Committee

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 owners (members of the company), in the form of a Management Committee of Directors, each of whom, as an owner of a property on the Waterways, is 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 FirstPort Property Management, our Managing Agent. FirstPort 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 FirstPort (help@firstport.co.uk). They are responsible for ensuring the Company meets its day-to-day responsibilities, and a great deal else besides. FirstPort answers 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.

Areas of responsibility

One of the Company’s primary purposes is 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 and their surrounding areas are owned and managed by the GreenSquare housing association. Also, Woodstock Lodge on the corner of Elizabeth Jennings Way and Woodstock Road 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 Community Interest Company (WRACIC). The WRA is open to all residents. We work closely with the WRA but we are quite separate organisations.

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