

Waterways Management Company 12th AGM 8th May 2019

Annual Report of the Management Committee for 2018-19

Report of the Chair of the Management Committee

This is the 12th 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 twelfth time you have attended an AGM, so I will move straight on to my report for the year.

The Management Committee set itself ten objectives for 2018/2019 which were:

- 1 *Pursue satisfactory co-operative management arrangements for the ongoing maintenance of the watercourse, including the installation of stone weirs in the watercourse section next to the canal.*

See report of the Gardening Sub-Committee

- 2 *Pursue proper monitoring of noise and vibration resulting from increased rail traffic, in conjunction with the Wolvercote action group – carry out the crowd-funded, independent noise monitoring in Wolvercote and Waterways.*

The Chair has worked with representatives from the Wolvercote area to initiate professional noise monitoring of the new railway line, given that Network Rail will not do this. The intention is to establish authoritative and unchallengeable base line figures now of noise levels so that we can compare these with any future increases when the new line is fully operational, particularly with far more frequent freight services. The group crowd funded the money, including contributions from our local councillors, to employ a recognised expert in the field, Giles Parker from Sound Barrier Solutions, to carry out the measuring. This was done for a sample week at five locations, three in Wolvercote and two on the estate. The report has been received and is being considered by the group.

The Chair has also tried to negotiate with the city council to measure air pollution levels from diesel locomotives near the railway line but has not been able to make any progress with this. Council officers were entirely negative in their replies, denying that there could possibly be any problem here. The lead councillor in this area, Louise Upton, made an initial suggestion that the council could help via its new air quality monitoring system but as far as we are aware no progress has been made with this system and disappointingly there has been no further action.

- 3 *Begin replacement of vulnerable paving slabs.*

See report of the Gardening Sub-Committee

- 4 *Planting of new shrubs, re-grassing and bulbs by the lakeside to replace felled trees.*

See report of the Gardening Sub Committee

- 5 *Continue re-planting across the estate where required with appropriate shrubs and trees.*

See report of the Gardening Sub Committee

- 6 *Pursue parking issues across the estate with the County Council, police, etc.*

Before Christmas, the county council carried out the first stage consultation for a possible Controlled Parking Zone across the estate. The Chair submitted a response on behalf of the committee supporting a CPZ. If the proposal is supported locally a second stage, more detailed, consultation will be carried out. The council has provided no further information at the time of writing.

- 7 *Implement the programme of flat roof replacements in apartment blocks and build reserve funds accordingly.*

See report of the Apartment Blocks Sub Committee

- 8 *Implementation of the apartment blocks' asset management plans and continue building up reserve funds to meet these long-term needs.*

See report of the Treasurer

- 9 *Pursue breaches covenants of apartment leases or freehold house transfers in relation to short-term lets/Airbnb and HMOs.*

See report of the Apartment Blocks Sub Committee

- 10 *Acquire the freehold of the estate from Berkeley Homes.*

See report of the Scrutiny Sub Committee

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 and 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 you, our members, who have kept us informed of issues around the estate and also been involved 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

The Gardening Sub-Committee meets two or three times a year with Rebecca and Rachel, our Property Managers, and James Mills from Evergreen, our gardeners, to walk around the estate and inspect how the estate is maturing, to identify things that need attention and to make plans for the future.

Replanting and tree work

The main focus of the Gardening Sub-Committee this year has been on the replanting of areas which have needed attention, especially the lake-side. This area has been opened up to increase visibility and deter anti-social behaviour. This change in the design has been a great success in many ways. Dog walkers are not entering the Waterways to take their dogs to foul the lake surroundings in the same numbers, visiting young people do not now seem to be congregating to disturb the peace of local residents or to leave their rubbish behind, and the much improved views of the lake are greatly appreciated. Evergreen have planted fifty seven attractive new shrubs in over twenty varieties, including two Virginia creepers to cover the tall end wall under the new houses, and have re-grassed the bare areas. In the autumn we will also plant some native daffodils. When more mature, this area should form a very attractive entry to the estate.

Members of the Gardening Sub-Committee met with owners of properties in Complins Close to discuss the way forward for the gardens in the square and with owners of properties in Frenchay Road to discuss the management of the mature alders in the avenue. Both meetings were well attended, as people obviously care deeply about their homes, about their environment, and the look of the street on which they live.

The new design of the gardens in Complins Close seems to be working well and children are now more able to distinguish between planted surfaces and areas where they are free to play. Hedging robust enough to withstand the occasional football was considered preferable to fencing and the gaps in the hedge have clearly indicated where the access points are. The effectiveness of this planting crucially depends on parental responsibility for the behaviour of their children and we strongly encourage a communal approach. If it seems that the hedges are not being given a chance to thicken up then hazard tape will be put in place this summer to protect the plants.

We have been told that the consultation meeting with house owners in Frenchay Road was also much appreciated. The streetscape is obviously treasured despite the problems that the roots of the alder trees are causing and the expense of regular maintenance. An independent tree survey, commissioned by the Waterways Management Company, had strongly proposed culling these alders as their roots were causing trip hazards. However, the overwhelming majority of owners expressed a

view that the present avenue should be preserved as long as possible. One of the alders on WMC-managed land was taken down last year when the root plate moved in a storm and this area will be replanted next winter with another, more suitable, tree to be chosen in consultation with the local house owners. It is our plan that, if and when other alder trees require felling, they will be replaced by the same variety of tree. Meanwhile the alders will be maintained as they have been in the past.

We have been advised that a tree survey on the black poplar on the green will have to be undertaken every two years but, at present, it is not considered to be failing. The new trees planted on either side several years ago (sweet chestnut and holm oak) will hopefully grow strong enough in that area when or should the black poplar need to be removed.

The watercourse

Progress continues, albeit slowly, on the proposal to install some stone weirs in the first part of the watercourse system east of the culvert under Frenchay Road with the aim of trapping more silt there and so stop it flowing downstream into the wildlife corridor and the Trap Grounds. Berkeley Homes have at their expense commissioned the design and flood risk modelling of the stone weirs, and their designer has liaised closely with the relevant environmental officer of Oxford City Council. In due course, WMC, as future owners of the land (see Scrutiny Sub Committee report below), will have to ensure compliance with regulations and seek permits from Oxford City Council. We will also be responsible for tendering the project and, should it proceed, we will be responsible for the cost of its installation. Timing is currently uncertain and should it seem prudent to do so, we will undertake the annual emptying of the balancing pond, last carried out in April 2018. Elsewhere along the watercourse, maintenance in terms of tree pruning and reed clearance is regularly undertaken.

Renewing paving slab and car parking areas

The replacement of paving on the estate was put on hold until the scaffolding for the new roofs was removed. Unfortunately the recent failure of an earlier roof repair has held up the project. Quotes for paving replacement around three apartment buildings are now being evaluated.

Other work

The Big Rake was again poorly attended but those who did come to clear away the cut grass from the wildlife corridor worked very enthusiastically. This work needs to be done in early autumn every year so we hope more people will help in 2019. We extend our thanks to the Friends of the Trap Grounds for the loan of their rakes and wheelbarrows. Other maintenance work has also been undertaken around the estate, including replacing broken paving slabs, ivy reduction and gravel path renewal.

Bins

Following a complaint last year we have reminded residents of houses that they are obliged, by the restrictive covenant that they signed, to keep their bins 'at the rear of the dwellings'. Letters have been sent to all those who keep their bins in their front gardens even if they are hidden. We ask residents to observe this covenant as WMC have no authority to make any changes or variations to covenants in legal contracts. However, we will try to improve access for bin storage where difficult.

Bike cull

Bicycles are once again beginning to clog up the bike stands and bike stores so another 'bike cull' will take place next autumn or winter. Before we begin tagging apparently abandoned bikes letters will be sent to all residents and owners on the estate warning of an imminent removal exercise.

Louise Robertson, Chair, Gardening Sub-Committee

Report of the Apartment Blocks Sub-Committee

The Apartment Blocks Sub-Committee is responsible for the largest budget on The Waterways. As the estate ages, repairs and maintenance are increasingly complex and expensive. This year the Apartment Blocks Sub-Committee has been working hard to complete several expensive and time-consuming projects as well as continuing with the general maintenance programme.

The re-roofing of flat roofs on six blocks on the Waterways

The re-roofing is now complete and we are grateful to Rob Schwier, the FirstPort surveyor, for managing this complicated project. For some years we have tried to replace the flat roofs with a product which would give a 20 year guarantee. The company employed, Gables, worked carefully and well over the summer months.

Initially the slow progress on the project was due to the elaborate scaffolding required. Also, it was discovered that the lowest line of tiles next to the roofs had originally been glued and so they needed to be broken to access the flat roofs which caused some temporary leaks. The replacement tiles then needed to be sourced which also slowed down the work. However, as the work was on a fixed price this extra expense was not passed on to the owners.

Gables have one more roof to repair but this was not included in the original project.

Redecorations including external render

The internal and external redecorations will start in the spring of 2019 for blocks 2-32, 56-90 and 92-126 Elizabeth Jennings Way, as will steam cleaning the render of 2 – 32 Elizabeth Jennings Way.

Short term lets

Short term lets of less than six months are not permitted in any apartments. We continue to monitor these breaches of the estate regulation, including lets via companies such as airbnb. For the benefit of our community we hope you will advise us if you become aware of any such breaches.

Security

We ask residents to continue to play their part in taking care of the communal areas, ensuring that the main doors are locked at all times to prevent intruders, keeping all communal areas free of personal belongings and respecting fellow residents' parking spaces.

Paula Reynolds, Chair, Apartment Blocks Sub-Committee

Report of the WMC Treasurer for the financial year 2017-18

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 2017-18 were issued to all WMC members on 26 October 2018. In the financial year 2017-18, the actual spend across all schedules was £485,415 against an estimate of £486,330. The total closing funds/reserves, which are allocated individually against each schedule, were £696,591.49.

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. In particular, we aim each year to build the reserves for each apartment block schedule to meet the requirements of the long-term asset management plan. The main project this past year, as mentioned in my last statement and also by the Chairman, was the making good and replacement where necessary of the flat roofs. This has been completed. Considerable effort and expense has also been put into replanting across the estate.

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, 2018-19, will now be issued.

Mary Tovey, Treasurer, Waterways Management Company

Report of the Scrutiny Sub-Committee

Transfer of ownership of land

In the course of the last year agreement was reached with Berkeley Homes on a roadmap towards WMC accepting a transfer of the freehold of the common areas of the estate still in the ownership of Berkeley Homes. We are already responsible for the maintenance of these areas. As part of the agreement, Berkeley Homes agreed to commission the design and modelling of stone weirs to be installed in the watercourse (see further the report from the Gardening Sub-Committee). At present we are involved in agreeing the detailed plan of ownership and boundaries of the various parts of the estate; once agreed we will seek legal advice on the transfer documentation. All property owners will be informed of our intention to take on the freehold ownership of the areas in question, which is the first objective in the Memorandum of Association of the Waterways Management Company Ltd.

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 or partner – then you hold your membership jointly with them. 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 and probably impossible 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 (The.Waterways@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. These include, 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 and access ways

We are not responsible for everything: for example, the main roads on the estate 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 and the new Fielders Row at the Woodstock Road end of Elizabeth Jennings Way are not part of The Waterways and are 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, via our WMC pages on the Waterways website at www.thewaterways.co.uk and report items via the dedicated email address The.Waterways@firstport.co.uk .