

**WATERWAYS MANAGEMENT COMPANY**  
**MANAGEMENT COMMITTEE MEETING NO 53**

**7.30 pm, Tuesday 11<sup>th</sup> November 2014**

**Present:** Louise Robertson (Chair), Sally Duncan, Adrian Olsen, Imogen Olsen, Mary Tovey, Paula Reynolds, Nicholas Orme, Ann Hall, Hilary Sorensen, Adrian Mourby, Tao Tao Chou, Raquel Stremme.

**In attendance:** Jeetindar Gill (OM) and Richard Dorey (WRACIC)

**Minute taker:** Emma Thompson

**1. Apologies**

1.1 None.

**2. Private Business**

2.1 None.

**3. Minutes**

**Approval of the minutes from meeting 52 (08/09/14)**

3.1 The minutes were approved as an accurate record.

**4. Matters arising from the minutes**

4.1 White markings had been painted to highlight parking bays within the crescent on Elizabeth Jennings Way after concerns had been expressed by residents that individuals were failing to keep within their own marked bays and were making it difficult for other residents to access their spaces. One resident had since objected to the introduction of the markings. On 15<sup>th</sup> September the Gardening Sub-Committee inspected the site and agreed with the resident that the situation would be reviewed in 3 months' time, when the markings have had a chance to fade.

4.2 Despite requests to remove a property number which had been included on a parking space by a resident without permission, no remedial action had been taken by the owner concerned. OM was asked to obtain a quote from Evergreen for removing the painted numbers and to forward this quote on to the owner so they could make their own arrangements with Evergreen and pay them directly. If within ten days of receipt of the quotation the owner does not contact Evergreen, the company will be instructed to complete the works and the costs will be recharged to the owner.

4.3 Following further investigation by a director, it was reported that Thames Water had confirmed in writing that properties on the Waterways development would be eligible for a rebate for any charges paid for surface water drainage. A refund would be

provided for payments which had been made up to the last six years. Refunds had already been received by two residents. Each household would have to contact Thames Water separately. It had been suggested that telephoning Chantelle Jenkins, who was aware of the context, would be preferable to completing the online rebate form. OM to write to residents and owners on the estate informing them of their eligibility for a refund.

## **5. Possibility of a Waterways 'character study' for the local plan**

- 5.1 It was noted that the local city councillor, Liz Wade, was currently working with another group which had expressed a similar desire to prepare a character study as a contribution to the local area plan. She would be contacting the WMC shortly to provide the necessary training and offer feedback and lessons learnt from this group. The intention would be to complete the character study in readiness for approval at the next AGM. It was recognised that the Planning Department would be bound by planning guidance in making development decisions rather than the character study.

## **6. Conditions for the use of local contractors by WMC/OM**

- 6.1 It was reported that the conditions under which local contractors were procured by OM had changed. Some of the smaller, local contractors working on the development had not met the new criteria. It had been agreed that if WMC was sufficiently happy for the current contractors to continue working on site, OM would ensure that the companies would continue to be listed as a preferred supplier.

## **7. Health and Safety**

- 7.1 It was noted that no formal claim for out of pocket expenses had been received for the work completed on the swale by a non-resident. The gate had subsequently been broken again but has now been repaired and a combination padlock added. The code had been circulated to WMC directors in case emergency access was required. The loss adjusters had yet to return to site to examine the correct area to prepare their report.
- 7.2 Parking was becoming problematic on Elizabeth Jennings Way and elsewhere on the development. It was reported that a commuter had recently parked their vehicle in such a way that a removal lorry had been obstructed for three hours from gaining access to a property. The committee agreed to Councillor Howson's proposal of a meeting with the Highways Agency, the County Council and members of the WMC to establish the parameters for extending double yellow lines in priority areas of the development.
- 7.3 It was reiterated that failure to enforce the yellow lines meant that anyone using the development for commuter parking felt there would be no repercussions if they parked inappropriately. The Council should be reminded to include the development on traffic warden routes. It was questioned whether the WMC should enquire whether the development should be put forward as a future controlled parking zone.

7.4 Several other parking offences were highlighted to the managing agent so that they could take appropriate action – the parking of a commercial vehicle under the archway by 31 Complins Close and the persistent parking by the owner of the Kelly's Communications van (who lived in Clearwater Place) in parking bays allocated to residents of Elizabeth Jennings Way.

## **8. Sub-Committee round up**

### **8.1 Finance Sub-Committee**

8.1.1 It had been highlighted by the accountants that the cash reserves held in the name of the Waterways development by the managing agent were of a sufficient amount to be attracting a higher level of interest. OM was asked to investigate the matter and ask finance to transfer the funds into a higher rate account if this was not already the case. OM was thanked for the timely preparation of the accounts this year.

### **8.2 Apartment Sub-Block Committee**

8.2.1 Concern was expressed at the method being used by Berkeley Homes to rectify the lift pits following their flooding. The contractor had stated that they would stand by their solution. As a result, it was proposed that the developer should be tasked with inserting a fibre glass lining if the lift pit flooded in the future. The lifts had now been out of action for nine months and it was only reasonable for those residents affected to receive a pro-rata reimbursement of their service charge relating to the lift from the date the failure had been reported. A level of dissatisfaction was expressed at the unnecessary delay of 32 days which had occurred between residents reporting the issue and OM contacting the lift maintenance company. It was proposed that this item should be discussed at the next meeting of the Scrutiny Committee.

8.2.2 It was noted that some of the lift parts were already in short supply and further investigation would be required to establish whether these related to the lift mechanism. If this was the case, it would suggest that the lifts on the development might already be reaching the end of their life and would need to be replaced.

8.2.3 An update was provided on Section 20 consultations which comprised:

- (a) Three apartment blocks for redecoration works
- (b) Roof repairs to an apartment block in Frenchay Road.

### **8.3 Gardening Sub-Committee**

8.3.1 It was reported that Lanes for Drains had been using the incorrect tanker on site. The company had confirmed that they had not used the recycling unit which they had included in their quotation. This was of considerable concern to the directors who felt that they should only pay for the services and equipment which had been provided – this being a 10 hour shift without a recycling unit – rather than the quoted 12 hour shift with a recycling unit. Despite assurances that each load would be tested for contamination, each load was being treated as contaminated. Work had now stopped on site as the company had been unable to remove vegetation from the area and had

subsequently confirmed that it did not have the capacity to do so. This was also extremely disappointing to directors who felt they had been let down by the contractor which had failed to deliver on its promises. However, when the relevant vegetation is cleared, it may be pragmatic for Lanes for Drains to return to finish the work they have been contracted to do, using the proper recycling vehicle. On a positive note, the work completed to date had been cheaper than forecast and there has been a definite improvement in the condition of the balancing pond and the flow of water.

- 8.3.2 As a possible alternative solution and to resolve the situation, retain momentum and for the purposes of future maintenance, another director had contacted a specialist company, Aquatic Solutions, which might be able to remove, but not dispose of, the silt. The company could fill large sacks with the dredged silt which would then drain. The silt would then have to be removed. The Friends of the Trap Grounds had indicated that they would discuss whether they could accept any of the silt removed. OM had discovered that one of their contractors, GW Pumping, might be able to remove the silt, working in conjunction with Aquatics Solutions (subject to the firm having the correct waste carriage and disposal licences). The director would continue negotiations with Aquatic Solutions and would arrange a site meeting with them and GW Pumping to discuss a possible way forward. It was imperative that works were complete by March to obtain the funding from the Council before the end of its financial year and to undertake work around the endangered wildlife inhabiting the corridor.
- 8.3.3 A method of testing the water and the silt was also discussed as it was deemed essential to identify the source of the material. A director agreed to follow up this solution and bring it back to the next meeting for discussion.
- 8.3.4 It was noted that PIMS had recently inspected the pumping station and parts had been ordered which would improve its pumping capacity.
- 8.3.5 It was reported that an article would feature in the next edition of Waterways World to encourage volunteers to take up the offer made by the Canal and Riverside Trust for individuals to receive training in the removal of graffiti and to be given suitable equipment to undertake the task.
- 8.3.6 Keble College had taken swift action to remove the graffiti which had been a long standing feature on its storage shed next to the end of Elizabeth Jennings Way following the receipt of a complaint from the WMC.
- 8.3.7 A request had been received from a director to be given the access code to the gate by the electricity substation in Lark Hill so that any fault with the lock mechanism could be dealt with locally and immediately. Directors agreed that the individual should be given the code for the purposes of remedial works only.
- 8.3.8 Residents had been notified of the bicycle cull. Tagging would take place at the end of November and clearance would commence on 8<sup>th</sup> and 9<sup>th</sup> January 2015. Several directors volunteered to help with the tagging .
- 8.3.9 At the previous meeting it had been reported that an area of ground next to 26 Cox's Ground had been turned into an additional parking space by tenants. The owner had

been asked to reinstate the area but the remedial works had been deemed inappropriate by the Gardening Sub-Committee. A single plant and picket fence was not in keeping with the surrounding mature planting. A quote had subsequently been obtained from Evergreen for the reinstatement using similar planting to the other areas within Cox's Ground. As the covenant clearly indicated that it was the owner's responsibility to reinstate the area, the directors unanimously voted to instruct the owner to make good the area with sufficiently mature planting, either with the quote already provided or independently, subject to the approval of WMC.

8.3.10 Disruption arising from a family undertaking home schooling within Cox's Ground remained a problem. A neighbour was considering whether to put their house on the market due to the persistent and intrusive noise from the family. OM was asked to identify the letting agent and to notify them of their tenant's consistently unacceptable behaviour. The owner of the property should also be made aware that any complaint, or dispute, would have to be declared if they decided to sell the property. It was also suggested that neighbours could complain to the Council department responsible for dealing with noise nuisance.

8.3.11 Having reviewed material on the proposed railway line upgrade, directors felt it would be prudent to establish when the Council was due to sign off the proposal and what assurances the Council had been given by the railway company and National Rail in respect of noise mitigation measures. A joint campaign should be initiated with the Waterside Residents' Association and Councillor Howson should be contacted to obtain further information. Once the WMC had secured more facts on the matter, those likely to be affected by the line works should be informed.

8.3.12 It was noted that bin storage remained an issue across the development. The directors were reminded that storage in public view at the front of properties was in contravention of the property transfer documentation. It was agreed that the managing agent should issue a reminder letter quoting the relevant clauses as many owners were possibly unaware of these requirements.

8.3.13 Repeated complaints had been received concerning the failure to repair pavement slabs behind 2-32 Elizabeth Jennings Way. It was noted that the slabs had been repaired after the issue had been first raised but the complainant had been living abroad at the time and would not have known when the repairs had been carried out. The managing agent had subsequently apologised for not notifying the complainant when the repair had been completed.

#### **8.4 Scrutiny Sub-Committee**

8.4.1 It was reported that the Committee had not met since the last meeting but was due to meet shortly.

#### **9 Feedback**

9.1 The managing agent was asked to investigate the impact that roosting pigeons were having on the maintenance and appearance of the front and rear porches to 2-32 Elizabeth Jennings Way.

9.2 The owner of 18 Stone Meadow had highlighted that they believed they had been incorrectly billed. They had been advised to contact OM directly to discuss the error.

## **10 WRACIC**

10.1 The company remained short of directors and it was agreed that an article asking for new volunteers should feature in the next edition of the Waterways World, which would be ready for circulation on 5<sup>th</sup> December. The Christmas event would be held on 13<sup>th</sup> December.

## **11 Managing Agent**

11.1 No items reported.

## **12 Any other business**

12.1 It was reported that rats had intermittently been gaining access to a terrace of properties within Complins Close. The entry and exit points had been identified by the Pest Control Department of the City Council as a failed wooden lintel at 21 Complins Close. The managing agent had subsequently been asked to contact Berkeley Homes to see whether the contractor would undertake any remedial work as it had been deemed a fault in the original construction design. In response, the developer had stated that in light of the failure being reported after the 10 year warranty, it was the responsibility of the home owner to undertake the necessary repairs.

12.2 The WMC noted that under the Public Health Act 1936 and the Prevention of Damage by Pests Act 1949, the owner was obliged to make the necessary structural repairs otherwise the Council could take enforcement action and impose a fine.

12.3 In order for residents to make any repairs it would be useful to receive the original construction drawings, including the positioning of any sewage pipes that might run underneath the property. It was suggested that this information might be obtained from Building Control at the Council.

12.4 It was noted that the two planning applications which had been brought to the attention of the WMC had been withdrawn (Complins Close) and rejected (Stone Meadow) respectively.

## **13 Date, time and location of future meetings**

13.1 It was noted that future meetings would be held at 7.30 pm in the Community Meeting Room as follows:

13<sup>th</sup> January 2015

10<sup>th</sup> March 2015