

**WATERWAYS MANAGEMENT COMPANY**  
**MANAGEMENT COMMITTEE MEETING NO 56**

**7.30 pm, Tuesday 12<sup>th</sup> May 2015**

**Present:** Louise Robertson (Chair in part), Adrian Olsen (Chair in part), Imogen Olsen, Paula Reynolds, Ann Hall, Raquel Stremme, Adrian Mourby, Sally Duncan, Hilary Sorensen, Greg Barnes, Sowon Park.

**In attendance:** Jeetindar Gill, OM

**Minute taker:** Emma Thompson

**1. Apologies and welcome**

1.1 Apologies were received from Mary Tovey, Nicholas Orme, Tao Tao Chou.

1.2 Everyone in attendance introduced themselves to the new directors.

**2. Minutes**

**Approval of the minutes from meeting 55 (10/03/15)**

2.1 The minutes were approved as an accurate record, subject to an amendment to all references to 'National Rail' being altered to read 'Network Rail.'

**3. Matters arising from the minutes**

3.1 It was reported that the spikes to deter pigeons which had been perching on the porch of 2-32 Elizabeth Jennings Way had been installed at the back of the property but due to access being required to the front via a cherry picker, those residents likely to be affected had been consulted in order to arrange a suitably convenient date/time for the remaining works to be complete.

3.2 It was agreed that the assessments which had been completed to date (Stone Meadow, Cox's Ground, Complins Close and Frenchay Road) should be reviewed by a director to develop a consistent style which would be subsequently issued to Liz Wade and the Planning Department for their use. The east side of the canal would be completed as soon as possible. Cllr Wade has said that these character studies carry more weight with the planning department than our Development Guidelines agreed last year, but this would not be mentioned in the newsletter.

**4. Report on the AGM held on 23<sup>rd</sup> April**

4.1 The minutes had been prepared by FirstPort (the new name for OM) but it was agreed that they should be issued to the note taker to ensure that the layout and content used was appropriate and relevant.

## **5. Election of Chair**

- 5.1 The current Chair had decided to stand down and the Committee was invited to appoint a new Chair. The outgoing Chair was thanked for their commitment and particularly for the work undertaken to understand the complex drainage and watercourse challenges across the development. The Committee presented them with a small gift as a token of their appreciation.
- 5.2 Adrian Olsen was nominated as the new Chair of the Committee and was unanimously appointed by those members present. He then took over as Chair of the meeting.

## **6. Allocation of Directors' responsibilities for 2015-16**

- 6.1 The directors reviewed the current allocations which had been previously circulated and the following proposals made:
- (a) A director who was absent would be asked if they would be willing to act as Vice Chair or to chair meetings in the absence of the Chair. The current and past Chair agreed to share the role of Secretary until September when another director had agreed to take over the responsibility. The same director would also become a member of the Scrutiny Committee.
  - (b) It was reported that the current Treasurer, whilst willing to continue with reduced responsibilities, would have to step down as Treasurer and should be removed from all their existing Committees. It was agreed that several directors would hold meetings as required to review the accounts and budget when they became available, instead of filling the role with a prescribed individual.
  - (c) A new director was appointed on to the Gardening Sub-Committee whilst two other directors were removed so that they could focus on Apartment Block Sub-Committee (ABSC) activities.
  - (d) One of the new directors joined the ABSC and the previous Chair, having relinquished some of their previous responsibilities, agreed to rejoin the ABSC.
  - (e) No change was made to either the water sub-group of the GSC, the AGM Committee or WRACIC and feedback contacts.
  - (f) Points of contact for the ABSC and GSC were agreed.

All directors were encouraged to review the revised list and advise the Chairman should they wish to change their responsibilities after the meeting. [Subsequently a director has stepped down from the Scrutiny Committee.]

## **7. Objectives for the year 2015-16**

- 7.1 The proposed objectives for the forthcoming year were tabled as follows:
- To complete the work to clear silt and obstructions from the watercourse and to produce a long term maintenance plan.

- To secure the transfer for the freehold land of the Waterways development from Berkeley Homes to the WMC.
- To work with Oxfordshire County Council to solve the parking issues on the development.
- To support the implementation of satisfactory noise, vibration and visual mitigation measures in relation to the line developments on the western border of the development.

7.2 It was highlighted that it would be difficult to demonstrate the last objective as it was largely outside of the WMC's control. Directors agreed to review the objectives further and confirm the objectives at the next meeting.

### **Railway line developments**

- 8.1 The Committee was advised that a meeting had taken place with the environmental officer and landscape consultant from Network Rail to discuss the treatment of the boundary with the Waterways development and, in particular, the management of any trees under a preservation order. Network Rail will produce a landscape proposal for us to consider any work agreed will happen in the autumn in conjunction with our own tree reduction work that we plan to undertake in that area.
- 8.2 Concern was expressed that Network Rail had appeared to have extended the use of the additional line alongside the development yet further to include the transfer of supplies to, and from, the HS2 project.
- 8.3 It was reported that Network Rail had now provided a detailed plan to Oxford City Council but that the meeting scheduled on 19<sup>th</sup> May to discuss the documentation at the West Area Planning Committee had been postponed. It was agreed that the Committee should keep themselves fully apprised of developments in liaison with a Stone Meadow resident.

### **Health and Safety**

- 9.1 Despite receiving Phase 1 of the proposed parking layout for Frenchay Road and critical areas on Elizabeth Jennings Way, no further communication had been received from the County Council. In the meantime, directors continued to send photographs to Councillor Howson to demonstrate incidents of dangerous parking.
- 9.2 It was recognised that due to budget cuts there could be a significant delay in implementation but, as the new budget year had begun, it was agreed that the Committee should chase the Council for action. The plans should not be implemented in isolation but rather the impacts on private roads maintained by the WMC should be taken into account at the same time.

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

### **10.1 Finance Sub-Committee**

10.1.1 It was reported that a satisfactory meeting had been held with Julian Sheppard, FirstPort's Group Head of Procurement, to agree how the Committee could engage smaller contractors which did not meet certain supply chain requirements pertaining to insurance or health and safety. One example was Kurt Lambert, an environmental consultant, who does not have any professional indemnity insurance. The Committee appointed Dr Lamberth to test the silt removed from the watercourse and interpret the results. He had been engaged by the University of Oxford without such insurance and the risk was considered low. His work was satisfactory and Dr Lamberth has now registered on FirstPort's system and has been paid for his work.

10.1.2 It was noted that FirstPort had agreed that in such instances the Committee should discuss the liabilities and minute the decision so that the managing agent could be assured that the directors had considered all the facts and risks associated with engaging a particular contractor. The Committee agreed that there was a very low risk associated with the work that Dr Lamberth had already undertaken or was likely to undertake in the future.

10.1.3 Having discussed the fact that Dr Lamberth had already walked around the Waterways to undertake an assessment of what would be required and had tested the silt removed from the balancing pond in a professional and satisfactory way, a vote was taken on whether to proceed with appointing him to undertake more work as an environmental consultant in the future, the result being:

9 in favour                      1 against

10.1.4 The Committee resolved agree that Dr Lambert should continue to be used as a consultant on environmental and water issues on the estate.

10.1.5 It was noted that Oxford Conservation Volunteers had finally received the donations owed for the last two years.

10.1.6 FirstPort had taken the opportunity to develop a guide on health and safety obligations for directors of right to manage and resident management companies. The Chair agreed to circulate this document to all directors and urged them to look through it to understand our duties and responsibilities in this area. It was agreed that the appendix at the back entitled *contractor risk assessment* would be a useful tool against which to assess small contractors in the future.

### **10.2 Apartment Sub-Block Committee**

10.2.1 The survey of the redecoration of 1-25 Stone Meadow had found that one coat had been applied in places instead of two and a number of runs on walls could be seen. The areas had since been touched up and an independent assessment had been undertaken. The complainant had been present and the work had been completed as agreed.

10.2.2 For the benefit of new directors, FirstPort outlined that any works over £250 had to comply with Section 20 consultation requirements in accordance with the Landlord and Tenants Act. Projects which met the criteria included:

- (a) Internal and external works necessary for 64-74 Lark Hill, 1-70 Clearwater Place and 18-32 Clearwater Place
- (b) Carpet replacement for four blocks. It was reported that owners would be given the choice of one type of carpet in two colours.
- (c) Flat roof replacement for 115-141 Frenchay Road. The managing agent had been forced to go out to retender due to the lack of interest shown by suppliers.

10.2.3 It was reported that anyone who sub-let an apartment to Airbnb would be in breach of their lease. It was known that a number of properties within the development were being sub-let. The owners were being notified and so far one tenancy was due to be terminated at the end of July. The owner of 8 Cox's Ground, would also be notified of the current sub-letting arrangement in place for their property. An article would be published within the next edition of the Waterways World newsletter.

### **10.3 Gardening Sub-Committee**

10.3.1 Aquatic Solutions had returned in April to clear the remaining silt in the balancing pond as planned, however, the clearance of the culvert under Frenchay Road which was due to be completed by G W Pumps had been unsatisfactory, with minimal impact. A second company had reviewed the culvert and confirmed that the removal of the silt should be possible. There were two ways to contract with J A Ratiken – directly which would delay the process as they would have to be set up by FirstPort on its system – or subcontract through Aquatic Solutions. It was agreed that in order to progress things that the supplier, if they produced a satisfactory quote, should be subcontracted through Aquatic Solutions.

10.3.2 It was reported that unfortunately the cut into the canal was still necessary as water was not passing through the siphon fast enough during wet weather. It was envisaged that further investigation of the underground section of the swale using a CCTV camera might identify whether this slow passage was the result of a design fault or whether the junction with the Thames Water pipe from the Woodstock Road was obstructed. In the longer term, the consultant could be invited to analyse the watercourse system as a whole and also to recommend a long term management plan.

10.3.3 It was noted that a sewage pipe had become blocked on Woodstock Road which had resulted in raw effluent polluting the balancing pond and passing throughout the entire watercourse system to the Trap Grounds. The Environment Agency had categorised the incident as extremely serious (6 out of 6) and would be flushing through the system to reduce any immediate health hazard. In the meantime, Thames Water had asked the Committee to advise if anyone became ill but would otherwise not be notifying residents of the incident. This was considered an unsatisfactory response in view of the threat to human health and Thames Water would be further pursued on this matter.

- 10.3.4 The Waterways graffiti-busting event in conjunction with the Canal and Riverside Trust had yet to be confirmed whether it would be held on one day or the entire weekend of 13/14<sup>th</sup> June 2015. [Subsequently confirmed for 9.30 am on both days.] Further volunteers were sought and the event would be promoted through the Waterways World newsletter.
- 10.3.5 In respect of the bicycle cull, it was noted that a further 77 bikes and chains had been tagged. Those items which remained tagged would be removed between 6<sup>th</sup> and 11<sup>th</sup> July 2015.
- 10.3.6 It was agreed that the WMC-headed letter regarding the inappropriate citing of bins and rubbish bags at the front of properties could now be used by directors, either signed by the director involved on behalf of WMC or unsigned to come from WMC as a whole.
- 10.3.7 As a follow up to the earlier discussion in relation to the western border tree work due to be undertaken by Network Rail, it was reported that this would likely take place in the Autumn. The works would be completed in conjunction with the GSC which would be reducing the height of the poplars along the boundary at the same time. Residents within the vicinity would be consulted.
- 10.3.8 It was highlighted that the alders which had been planted in Frenchay Road could grow to a height of 70 feet and should be regularly pruned to avoid any negative impact on the surrounding properties. Arrangements would need to be made with those owners who had alders within their front gardens to ensure the trees were kept to a consistent size and shape.
- 10.3.9 It was noted that the number of youths relaxing by the lake had increased and was likely to intensify over the Summer months. Unfortunately these individuals failed to remove their rubbish and were spoiling the amenity for others. When previous problems had been identified a letter had been sent to the Head of St Edward's School which had temporarily resolved the issue. This led directors to believe that the offenders may hail from the adjacent school. It was agreed that a similar letter should be despatched.
- 10.3.10 Fishermen had been seen removing fish from the lake and the signs relating to *no fishing* next to the steps opposite Lark Hill were persistently being removed. As a result it was agreed that a new sign should be put on the railings as this might prove more difficult to remove.
- 10.3.11 A youth had broken a number of trees within the development and photos had been taken of the individual in the act of destroying property and sent to Green Square. A director had remonstrated with the youth and the mother of the individual concerned sent an apology to the Committee.
- 10.3.12 The grassy area within Lark Hill which had been replanted a few years ago was being used for football and there was an increasing risk of the grass failing. It was recognised that football would quickly be replaced by tennis and another sport as the months progressed but directors living within the vicinity were asked to keep a watchful eye on the area to determine whether further action might be required.

- 10.3.13 Fencing behind the houses in Complins Close adjacent to the bin store and the wildlife corridor had been damaged by children and the managing agents were asked to mend the relevant panel.
- 10.3.14 It was noted that a quote of £1,000 had been received to replace the steps with a ramp behind the Crescent in Elizabeth Jennings Way to make it easier to move bins on collection day. Directors asked that the work be deferred until further notice.
- 10.3.15 A further letter had been issued to the owner of a property in Frenchay Road which had installed a satellite dish to the side of the building. No response had been received and the managing agent agreed to check whether the dish was still in situ. If this was the case, a letter would be sent to the letting agent advising them of the breach of covenant.
- 10.3.16 It was noted that outbreaks of Japanese Knotweed and Himalayan Balsam were being treated across the development.
- 10.3.17 A gift had been presented to a member of the Evergreen team following their diagnosis with a form of repetitive strain injury which would subsequently minimise what they would be able to do around the development. Those directors who had not contributed £5 were reminded to do so.
- 10.3.18 It was reported that individuals continued to park and obstruct the archway underneath Complins Close. The managing agent agreed to write again to the offending apartment.

#### **10.4 Scrutiny Sub-Committee**

- 10.4.1 Whilst the managing agent had circulated a copy of the new management agreement, directors were unable to determine where changes had been specifically made. They requested a copy of the original or a version with track changes so that directors could establish what they were specifically being asked to sign. The Scrutiny Committee would undertake a review against the original, if necessary.
- 10.4.2 FirstPort had responded to the directors' dissatisfaction with customer service stating that the company had significantly revised its system and would be working towards a new quality accreditation mark for the sector. The directors would continue to monitor the level and quality of customer service received from the managing agent.

#### **11. Feedback**

- 11.1 A compliment had been received from a resident who thanked the Chair for their support and effort on a particular matter.

#### **12. WRACIC**

- 12.1 A Summer BBQ was due to be planned at its next meeting.

### **13 Managing Agent**

13.1 No items reported.

### **14 Any other business**

14.1 It was noted that the planning application for 45 Frenchay Road had been withdrawn.

14.2 The planning application for 16 Complins Close had been called in and a report had been prepared by residents to present to the West Area Planning Committee (WAPC) on 12<sup>th</sup> May. The report had been circulated to members of the WAPC prior to the meeting which had led to several members attending site. A resident had been in attendance at the Planning Committee that evening to present objections to the proposed extension. The Planning Officer was recommending approval which was granted by a narrow margin with 5 voting in favour, 4 against, the result of which was sent via text to directors in order to record the outcome.

14.3 Directors were given advanced warning of the green balloon day which would be taking place on Saturday 16<sup>th</sup> May between 11.00 am and 2.00 pm. Any resident wishing to give away unwanted items would place a green balloon outside their property.

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

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

14<sup>th</sup> July 2015

15<sup>th</sup> September 2015

17<sup>th</sup> November 2015

12<sup>th</sup> January 2016

15<sup>th</sup> March 2016