

## **WATERWAYS MANAGEMENT COMPANY**

### **Minutes of the MANAGEMENT COMMITTEE MEETING NO 64**

**held at 7.30 pm on Tuesday 4 October 2016 in the Waterways Community Room**

**Present:** Adrian Olsen (Chair), Greg Barnes, Tao Tao Chou, Ann Hall, Adrian Mourby, Nicholas Orme, Paula Reynolds, Louise Robertson, Brian Shine

**In attendance:** Rebecca Burt and Rachel Dolacinski, FirstPort Property Services

**Minute taker:** Imogen Olsen

#### **1 Apologies for absence**

1.1 Sally Duncan, Hilary Sorensen, Mary Tovey

#### **2 Minutes**

##### **Approval of the minutes from meeting 63, 13 July 2016**

2.1 The minutes were approved as an accurate record.

#### **3 Matters arising from the minutes**

3.1 The Q&A session had been held prior to this committee meeting as agreed and has been separately minuted. Three residents had attended. With regard to one question raised, FirstPort confirmed that their in house surveyors could be used to check the quality of new roofs.

#### **4 HMOs in freehold houses and apartments**

4.1 FirstPort confirmed that they have written to the owner of a house in Complins Close and to the Council regarding the renewal of an HMO (home in multiple occupation) licence. An HMO is against the terms of the transfer document which specifies that houses are for one household only. No response has as yet been received. After some discussion it was decided that as this could become a serious problem in the future we need to take any necessary action. FirstPort pointed out that their legal team have a new breach of lease procedure which would apply: a set of letters, then a fine followed by a steeper fine, followed by the threat of court action. It was agreed to use this procedure in this case, and in future cases. It was also agreed that a warning against HMOs, both in freehold houses and in leasehold apartments, should be included in the next issue of Waterways World and in the forthcoming Welcome to the Waterways booklet.

#### **5 Progress on parking plans for Elizabeth Jennings Way and Frenchay Road**

- 5.1 The Council are at last undertaking a formal consultation process on the double yellow line scheme. The deadline for comments is 28 October, and it is hoped that the work will be carried out before Christmas. It was agreed that we should then press for a Residents Parking Zone.

It was agreed that the Chair would submit a comment in support by 28 October on behalf of the WMC, and that a director would also submit a comment, mentioning the dropped kerb by the nursery block.

## **6 Welcome to The Waterways booklet – update**

- 6.1 A Director brought in the finished map, which was approved with some minor changes to the colours used. The Chair would later in this meeting clarify the wording to be used regarding certain topics, for example Airbnb and restrictive covenants. FirstPort confirmed that they would print the booklet.

## **7 Railway line developments**

- 7.1 On 13 September the Chair attended a meeting of the West Area Planning Committee and spoke on behalf of Waterways residents. The committee refused Network Rail's application not to use Tata's Silent Track but agreed to NR's application to limit noise and vibration monitoring, where applicable, to the original 18 month period, rather than the 72 months demanded by the Council. However, the committee also insisted that vibration monitoring should be carried out in our section, I/1, given our concerns about this issue which NR has always denied is a problem and did not include in the original monitoring scheme. [However, unfortunately at a subsequent Planning Review Meeting the council overturned this decision on the advice that it had no legal grounds to insist on it; so vibration monitoring will not take place in our section.] NR will certainly appeal against the council's Silent Track decision.
- 7.2 Acoustic glazing is currently being installed along Stone Meadow and so far residents seem pleased with the results.
- 7.3 There had been a very positive meeting that morning regarding the trees behind Cox's Ground and Stone Meadow which we have planned to reduce in height. Representatives from Network Rail, MBS (our tree contractor) and the WMC agreed that NR's tree contractor and MBS would work jointly as a team on NR's trees and ours, working from both sides of the boundary fence. This will be more efficient and should save us money. The foundations of the noise barrier will affect tree roots so some of the trees on NR land will have to be felled as they would become unstable. Our own tree reduction plans tie in well with theirs and none of our trees will have to be felled. Joint planning between the two contractors will start on 17 October and actual work will commence on 19 October. All work will have to be completed by 21 November when driver training commences on the new line.

## **8 Sub-committee news round-up**

## **8.1 Finance**

8.1.1 FirstPort reported that the auditors' queries on the accounts had been answered and that all was in order for the final sign-off this month.

## **8.2 Apartment Blocks Sub-committee**

8.2.1 All roof replacements/repairs are in hand.

8.2.2 Carpet replacement is proceeding as planned, with two blocks now completed.

8.2.3 It was agreed that the cleaning carried out on the carpet at 108-126 Frenchay Road was sufficient for the time being and that no replacement was needed.

8.2.4 The new signage for apartment blocks has been installed successfully and has been welcomed.

8.2.5 The trial cleaning of rendering on apartment block walls has not been as successful as initially supposed, with signs of staining returning. It was agreed to wait and see how it develops.

8.2.6 All redecorations are going ahead as planned.

8.2.7 Vision Secure had attended an ABSC meeting to give a CCTV demonstration, which went well. It was decided to go ahead with one or two trial installations, with individual blocks to decide by a majority vote if they want to take part. If all goes well, the scheme would be rolled out around the estate to blocks that vote for it.

8.2.8 There was much discussion about a possible private electric car charging point proposed by an apartment block resident. Our electrical contractor has advised that running a cable from a flat down the outside wall of a block, as requested by the resident, was not acceptable and an electrical supply would have to come from the central board inside the block. FirstPort reported that it would be very expensive for one person to install and the committee was aware that there might be more demand for this as time goes on. Therefore it might be preferable to have a communal charging point fed from a central point, with some kind of card charging system. FirstPort have asked for feedback from their London estates. It was agreed that more research was needed, both by the resident and by the WMC.

8.2.9 Nothing more had been heard regarding the break-in and theft at the bicycle store in Clearwater Place. A new, stronger lock had been installed.

8.2.10 E&M (the freeholder) had refused permission for the proposed loft conversion at an apartment in Frenchay Road. The Chair pointed out that such a conversion was against the terms of the lease anyway as any alterations have to have the consent of the WMC as well as the freeholder.

8.2.11 FirstPort agreed to liaise with the Council regarding the imminent move to compulsory food caddy recycling in apartment blocks and the possibility of adopting the scheme voluntarily in advance.

8.2.12 *Restrictive covenants for leasehold apartments.*

1. It was agreed that following the recent Tribunal case in which a judgement against a flat leaseholder who used Airbnb was upheld, we should continue to police cases of Airbnb and similar rentals. This would entail regularly checking the Airbnb and possibly other website. It was suggested that the cleaners employed by those subletting via Airbnb were a good source of information regarding specific addresses, as well as observation of many people arriving and leaving with cases. As Airbnb and other short-term rents breach the terms of the lease for apartments, we will take all necessary action to stop them and FirstPort will use their breach of lease procedures as required.

2. The Chair pointed out that there was nothing in the lease for apartments about a minimum 6-month letting period and that this restriction dates only from a September 2008 WMC committee meeting. It was unanimously decided to reaffirm formally that there is a minimum letting period of 6 months for apartments. FirstPort will add this to the new Welcome Pack.

3. It was necessary to clarify the position regarding pots and furniture on balconies as it is impractical to seek permission from the WMC in all cases, as specified in the lease. It was agreed that pots, window boxes (on the inside of railings only), tables and chairs, and other reasonable objects (but NOT barbecues, candles or other naked flames) can be placed on balconies, provided that such installations shall not damage the fabric of the building and that owners/occupiers meet all Health & Safety requirements and accept all liability for the installations and for any damage caused. The WMC reserves the right to withdraw or refuse permission as it sees fit in particular circumstances.

8.2.13 Some local contractors have now been nominated by ABSC and it was agreed that this process should continue.

8.2.14 There was discussion of the installation of wooden flooring in apartments, which is not allowed under the terms of the lease. The committee was aware that some wooden floors had been installed without permission. No one underneath a flat where wooden flooring is installed has actually complained yet, but we may take action against these illegal floors in the future. The resident in Complins Close who asked permission to install it has deferred until the autumn and he agreed to research independent findings on the effectiveness of specialised acoustic underlay for wooden flooring. It was agreed that the new Welcome to The Waterways booklet should specify that such floors are not permitted and that we should take it from there after further research.

### **8.3 Gardening Sub-committee**

8.3.1 No progress has been made in persuading Thames Water to provide records of silt trap maintenance. A director is now looking for an expert in Sustainable Urban Drainage Systems who could advise us as to whether our system was properly designed in the

first place.

- 8.3.2 The Health & Safety review of the lake has recommended the installation of a fence where access is presently unimpeded near the mini roundabout on EJW. This would require a gate for accessing the lake. It was suggested that brambles might be more effective than a fence, and it was agreed to postpone discussion until the next meeting of the Gardening Sub-committee which is to be held shortly.

There have been further reports of illegal fishing in the lake. It was suggested that we close off the lake completely, but generally agreed that this would be impractical and undesirable. Ways of closing off the access points for fishing will be investigated at the next GSC meeting.

- 8.3.3 Lakeside planting will also be left to the next GSC meeting.

- 8.3.4 Metrord have supplied a quotation for levelling the swale, which has been accepted.

- 8.3.5 The murals under the canal bridges have been a huge success and a PR triumph for The Waterways. The arches by Frenchay Road bridge remain to be completed, with the CRT again managing the funding. Congratulations and thanks were extended to a Director for her huge amount of work on this project.

- 8.3.6 The Big Dig took place on 2 October successfully, with a turnout of around 20 people from residents and the Oxford Conservation Volunteers, to whom we give our thanks. FirstPort will pay the agreed donation of £100 to OCV.

#### **8.4 Scrutiny Sub-committee**

- 8.4.1 FirstPort have requested that an increase in management fees be specified under the new draft Management Agreement. This will be discussed later.

- 8.4.2 Three directors are to meet a resident with relevant experience in order to discuss the tendering of a managing agent contract.

#### **9 Feedback**

- 9.1 Nothing to report.

#### **10 WRACIC**

- 10.1 The summer barbecue on 10 September had been a great success. It immediately followed the official launch of the new murals. Will Gompertz, the BBC Arts Correspondent and a Summertown resident, cut the tape to launch the murals from the prow of a narrow boat sailing up the canal, and he was very enthusiastic and supportive.

The annual Christmas hog roast is scheduled for 10 December.

## **11 Managing Agent**

11.1 The quotation for the lift at Complins Close is cheaper than expected and the work is now going ahead.

11.2 The ramp in Lark Hill was considered an improvement on the steps, though still rather steep. This would be considered at the next Gardening Sub-committee meeting.

## **12 Any other business**

12.1 The Cox's Ground house planning application is still under consideration. The applicant has said that the extension of their parking area into WMC owned land on the plan submitted for planning was a mistake and would be corrected.

12.2 Nothing more has been heard from GreenSquare regarding their proposal to fence off their area of grass behind Clearwater Place.

12.3 The personal injury claim by the resident who fell off her bicycle on the northern bridge over the wildlife corridor was rejected by FirstPort's insurers, but the resident has appealed on the grounds that the bridge is not marked as slippery. This is disputed by the insurers.

12.4 A director complained about the number of estate agents' boards being put up in Cox's Ground. This is permitted in the case of freehold houses, but not on WMC land surrounding apartment blocks. She will write privately to Scott Fraser to complain.

12.5 A 'police operation' sign has appeared chained to the railings on the corner of EJW and Lark Hill. A director offered to ask the police for an explanation.

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

13.1 29 November 2016, 17 January 2017, 14 March 2017 – all Tuesdays at 7.30 pm in the Community Room.

It was agreed that the AGM should be held in late April. A director will ascertain the appropriate date bearing in mind the start of the school summer term. This will be discussed and decided before the next committee meeting.