

# NORTHWOOD HALL

Residents Association

Minutes of the Meeting held on 23<sup>rd</sup> November 2015

## **Present:**

Committee members: Kate Calvert (6-23), Valerie Hall (6-1), Gerald Leach (4-11), Mary Openshaw (3-3), Chris Perrett (3-23), Sharon Breen (3-9), Michelle Freedman (6-7), Barbara Wylie (5-25)

Apologies: Mark Blacklock (6-16), Jo Moody (1-7), Gwyneth Isbister (1-15)

Kleanthis Charalambous (4-5), Pauline McLeod (1-8), Grace Dempsey (4-18), Dorothy Owen (5-1), Adrian Armstrong (6-17), Leena Bedri (6-4), Shelagh Edge (4-1), Graham Cutts (0-15), Carolyn Sherman (4-17), Gillian Lebof (1-1), Chris Beecham (4-25), Paul Brown (3-17), Barbara Donninelli (6-11), Roger Bower (1-13), Lesley Pearson (2-14), Eve Dewhurst (6-21), Philip Whale (6-23), Jiff Bayliss (LG-5), Adriette Myburgh (2-22), Andrew Isaac (LG-6), Sybilla Wilson (0-6), Marietta Vavrides (4-8), Anna Rose (5-11), Robin & Margaret Weiss (6.19), Simon Haggis (2-21), Keith Walker (2-6), Ari Garboggini (6.14), Tim Egan (2-8), David Mazower (4.14), Sorrell Shalet (LG4), John Hosie (3.4), Kishore Ghosh (3.2), Iva Chinshuf (6.25), Svetlana Balashova (1.10), Sophia Mason (6.10), Jasmine Bogen (GL10)

A recording of the meeting is available on the Residents Association page of the NWH website: <http://northwoodhall.co.uk/residents-association-2> under the heading "Documents for Residents".

## **1. Introduction and Absence of Directors**

Kate opened the meeting and explained that the directors would not be attending. They had requested a meeting with the Residents' Association committee to discuss the purpose of their attending RA meetings and to establish how the meetings should be conducted. They had said they felt the previous meeting was a bear pit and were unwilling to attend unless that changed.

Kate read out the points made by the RA committee representatives at the meeting with Bob Saunders, Andrew Fyvie and Julia East. These were that the RTM directors are the conduit between residents and those who are looking after Northwood Hall, including the managing agent and contractors. And regardless of who is contracted to do the work, the directors are the people legally responsible for running Northwood Hall in accordance with our leases. The RA meetings are the only opportunity for members to talk directly to the RTM directors about that. The meetings offer the opportunity to raise issues for the directors to address with the managing agent, to put forward proposals, and to discuss concerns. And the meetings are particularly useful to the current board as they don't live in the block so have less opportunity for informal discussions with other leaseholders and will be less aware of issues as and when they arise.

Discussing whether the meetings could be changed some people expressed the view that the last meeting had been unduly aggressive while others said this was because the

directors were not answering the questions adequately, resulting in growing frustration.

Comments included that there were too many questions, that two weeks was long enough for directors to prepare their answers, and that the two directors who attended last time were those least able to answer questions.

A poll was later taken to ask whether the directors should attend showed that 34 people out of 44 attendees said the directors should do so. Some attendees were regularly absent because of the problems with the water leak, so the proportion may have been higher.

## 2. Questions Submitted

Kate said the directors reported that they will respond to emails from individuals but will not respond to emails from groups. If you have queries therefore you should write to them individually.

In addition they have said they will provide written responses to some of the questions submitted to them in advance of the meeting, but not those which had already been asked.

For information Kate ran through the questions submitted and any comments are noted under the question.

### **Heating**

- *The last RA meeting's minutes note that the Directors are reluctant to provide any relief to the flats that have no heating. Last year a rebate was announced at the October 2014 meeting and I submitted an invoice for the agreed sum (£10 a month for 14 months covering the period between October to May 2014 and 2015) and got the rebate. Why can I not receive the rebate this year as I am paying the full service charge?*
- *Prior to the last meeting I asked about the provision of portable heaters and the cost of running them for apartments with little or no heating. The RTM Directors' reply suggested that the system had been flushed to the point where our heat output would be much greater this winter. I carried on, hoping that this would prove to be the case. Sadly, it is not so. With the first spell of cold weather the temperature of my radiators has dropped substantially (this is exactly what happened last year and the year before). The temperature in my sitting room last night was 12 degrees. What has happened to the promise of temporary heaters and power to run them? I am paying for heating and I have none.*

No response from directors.

One speaker said that they had spoken to Canonbury and had arranged a rebate with them and received it last year. Many present were unaware that a rebate had been available as this did not appear to have been publicised.

- *At the last RA meeting the directors said they would seek evidence of leases stipulating heating being switched off on 1 April rather than 1 May. Will the directors please tell us which leases that applies to?*
- *At the last RA meeting the directors said they would clarify on what legal grounds*

*heating has not been provided to those whose lease stipulates that heating must be provided until 1 May. Will they please let us have that legal advice.*

Kate reported that the directors said they have agreed with Canonbury that this season the heating will not be switched off until 1 May. One speaker said they had been told that the early switch off this year had been for technical reasons while another speaker said they had been told that it was because leases terminated the heating on 1 April. A third added that it is only under Canonbury's management that the heating has been switched off before 1 May.

### **Heating Works – Contract**

- *Given that the heating project contracts are between the RTM, CBG and Parker Bromley, what redress will leaseholders have if unhappy with the quality of works undertaken at a flat level?*

At the meeting between the RA representatives and directors the directors said that the works would have to be signed off by CBG on completion and if the leaseholder is still unhappy they can then take the contractor to court. A speaker from the floor said that would not be possible because there is no contract between the leaseholder and the contractors, only between the RTM and the contractors.

- *Have the directors now established the exact appointment details and scope and responsibility of Canonbury as client agent on the heating project?*
- *Are the directors now fully satisfied that CBG undertook reasonable skill and care in their function as contract administrator of the heating project and of Parker Bromley? If not, are the directors confident they can they be trusted to continue to lead on the M&E advice, design changes and contract administration going forward?*

No response from directors.

### **Heating Works – Evidence**

- *The directors reported at the last meeting that they have seen an asbestos report but would not circulate this because it would delay the works. Now that the heating project is under way will they please provide that documentation.*
- *The directors also reported at the last meeting that they have seen the engineering reports requiring the adoption of horizontal piping rather than vertical risers. They said they would not circulate these as it might cause delay to the project. Now that this is under way will the directors please provide the documents?*
- *At the last RA meeting the directors were asked for a formal reason why they were unwilling to show the documents which are cited as requiring the change from vertical to horizontal piping. The directors said they could not respond because all legal aspects have been dealt with by Bob Saunders who was not present. Will the directors please seek the answer to this question and report back on behalf of Bob if he is again unable to attend.*

No response from directors.

### **Heating Works – Costs**

- *At the last RA meeting the directors said they thought there was a plan of costs, though they had not seen it. Will the directors please require details of these costs and tell us what they are?*
- *On what contractual basis are CBG carrying out the new surveys and moving the pipe entry points? How much will it cost and who will pay for this additional work?*
- *Will the directors continue to work with the existing project spec or have they agreed variations? If they agreed variations will the directors please share details with leaseholders, including cost implications.*

No response from directors but Kate reported that at the meeting with the directors they explained that Parker Bromley will cost the layout as discussed at the survey and if it is not achievable within the budget allocated to each flat there will be an extra sum payable. Leaseholders will be offered the opportunity to ask for the scheme then to be reworked to make it cheaper if they feel their first preference is too expensive.

### **Heating Works – Practicalities**

- *How long will it take for all the surveys in the block to be complete before works commence?*

Kate reported that the directors said that as of Friday 20<sup>th</sup> Nov 25 flat surveys had been completed, and that works on the flats would start in January. Others had been told February.

- *What is the current projection for completion of the heating project?*
- *How long will the works take in each flat?*

A speaker said CBG say that installation of underfloor piping will take seven working days, so nine days in total.

- *During the surveys it has been indicated that those wanting underfloor piping will need to remove all their furniture from the flat. This is a new requirement not mentioned at the time of the original surveys and one which will make it difficult for residents to continue to occupy their flat at the time of the works. Can the directors confirm that this is correct and if so what is proposed in terms of storing and alternative accommodation for residents.*

There was some discussion about this with a report from one speaker that he had been told that if the floorboards were taken up the contractors would not be able to relay them level as before so they advised boxing in instead. Some said they had been told that in order for all piping to be checked for leaks simultaneously, all floors would need to be up at the same time and all furniture removed. Others said they had been told that furniture could be moved from place to place with installation taking place room by room. Surprise was expressed at the number of different stories being given to different leaseholders given that this is the second attempt at surveys with the opinion expressed that this process too is a shambles.

One speaker said that documentation from 2014 undertook to move and protect furniture.

Others said they had not received this and Kate said some leaseholders have been told that Parker Bromley would take no responsibility for items in the flats, suggesting that they do not have insurance cover.

- *Is there a plan to carry out a pilot flat installation so that residents can have an opportunity to assess the quality of work undertaken?*

No response from directors.

One speaker described the boxing in the pilot flat as very poor, i.e. heavy looking and oversized. He said modern pre-formed covers are readily available, generally made from white melamine- faced 5mm thick plywood. Provision was made in the tender specification for the use of such products. The speaker has written to the directors about this.

### **Finance**

- *Why has the decision been taken to place all Northwood Hall money in an account totally controlled by Canonbury over which the RTM has no oversight, rather than using the account set up by Mr Wismayer to hold client service charge money independently of Canonbury so that any expenditure can be properly monitored?*
- *Why is the independent account set up by previous directors for RTM funds being closed?*
- *Have the directors received convincing evidence from Canonbury regarding the interest on the Northwood Hall bank account? If not, why not?*

Kate reported that the directors say interest on the Northwood Hall account will be paid this year.

- *Last April Canonbury and the current directors suggested that our service charges would be reduced. Instead they have been increased. Will the directors tell us when we can expect an end to the current trend of increased service charges?*

Kate said the directors said they did not suggest this and that it was only Canonbury who suggested that our service charges could be reduced.

- *Can the directors explain how it is that one leaseholder has been legally able to refuse to pay service charges for the past three years?*

Some of those present said that they had continued to pay the basic service charge but withheld the additional sums for the heating project. However, on extending their lease Canonbury had required full payment but some people had arranged to pay that element of the service charge to the solicitors subject to an undertaking that the money would be passed to Canonbury if it was determined that the sum was payable.

- *What action do the directors propose to take if a large number of leaseholders follow the example of this leaseholder and withhold their service charge?*

No response from the directors.

### **RTM Directors**

- *Will the directors please explain why Simon Kaufman resigned as a director? He had most votes at the EGM and was the best qualified to work on the heating and renovation project. His resignation so soon after being voted on to the board indicates that he disagreed fundamentally with the strategy of the other three directors, who have no experience in this field but presumably over-ruled him, despite his greater knowledge.*

Kate said the directors pointed out that Bob Saunders and Andrew Fyvie got the most votes. Simon Kaufman only received the majority of votes when you discount the block vote of 30 from Triplark. That means that Simon got most votes from independent leaseholders in the building.

### **Additional Questions**

- *Repairs to Northwood Hall continue to be carried out incompetently and we keep getting very low quality for the money that we all pay. As well as the new boundary wall there is the completely inappropriate green button to open the reception door. Will Canonbury continue to be allowed to charge us full fees for substandard work and materials, and incredibly poor design choices? As well as future repairs and planned renovations, this has implications for the quality of the Central Heating project.*

A speaker described how long it took to get even a small repair carried out to corridor doors.

- *What research and/or evidence do the Directors have to allay fears about the pipes overheating in the corridors? They have given a vague assurance that this would be remedied if it became an issue. However it would seem irresponsible to go ahead with the current plan without proper analysis of the issue of overheating. I've noticed that the lobby at the carpark entrance is very hot and smells very unpleasant.*

No response from the directors but it was agreed that the problem described had been noticed by others present.

### **3. Surveys**

Of those present 10 people said they hadn't received the promised copy of their first survey. 13 said they hadn't been approached about their survey yet. There was a marked difference in how long the survey team were reported to take in different flats, from five minutes to closer to an hour.

One speaker said the supposedly advance copy of the first survey arrived after the second survey, and applied to another flat.

### **4. Attendance of Canonbury Management at the RA Meetings**

Kate reported that the directors wanted Canonbury Management to attend the RA meetings. There was some discussion on this, including the point that legally it is the directors who are responsible for all matters at Northwood Hall, with Canonbury purely their agent and the involvement of the managing agent being expressly contrary to the constitution of the RA.

A vote was taken on "Should we let Canonbury come to meetings?" The result was:

Yes: 9  
No: 22

The motion that Canonbury should be allowed therefore failed.

## **5. Christmas Social**

Kate asked if anyone would volunteer for helping with the Christmas social. No one volunteered so it was decided that we would forego a social this year.

## **6. AOB**

### ***Visitor Parking***

There is no visitor parking at the moment. As there is no parking control this isn't an issue at the moment. It is assumed that visitor permits will eventually be brought back after the works but it is not clear when or how.

### ***Quality of Piping***

There are concerns that Chinese copper piping might be used in the flat installations because this is often seriously defective. Kate said the directors reported that the plan for underfloor heating is to use flexible Pex piping rather than copper. She had not been told what would be used for above floor installations.

Kate closed the meeting at 8.30pm and thanked everyone for attending.

## **NOTE**

### **Boiler and Heating Problems**

Separately to the meeting there had been a total boiler failure in the building along with serious flooding in the column of flats from 6.3 down.