

Luxborough Tower Residents Association

Draft, Minutes AGM

15 03 2017 19.30 pm, Luxborough Tower meeting room

Apologies and requests for AOB

Apologies were received from Michael King and Howard Dewhurst. Attendance was from Sarah Mackay, Michael Kritevan, Andrew Hughes, Alex Reid, Josephina Becci, Elizabeth Young, Edward Wooler, Alison Dow, Ian Thompson, Anthony Styant, Lori Slack, Nick Vinson, Mike Kostyn, Nigel Greenhill. Jeremy Vinson and George Gardner from Baily Garner, Duncan Finch from Avanti plus Alex Bevan, Martina Brown and Lorraine Roach from CWH.

2. Approval of minutes of meeting from 24 01 2017 The minutes were approved

3. Election of the Committee

The committee stood down. The following were elected to the committee; Denise Atkinson-Hines, Josephina Becci, Alison Dow, Andrew Hughes, Nigel Greenhill, Michael King, Mike Kostyn, Michael Kritevan, Sara Mackay, Alex Reid, Nick Vinson, & Elizabeth Young. Each and every committee member was voted for unanimously. It was agreed that officers would be appointed at the next committee meeting.

4. Treasurer report on accounts, membership and use of funds.

There are currently 80 individual members from 63 flats. The current balance is £5,145. The committee thanked Jennifer Grimshaw for her efforts in ring fencing funds from the historic Police Cabin rent. The treasurer reminded the membership that we needed some ideas to spend some money. One suggestion was to paint some colour in the corridors, purchase matching grey sisal door mats for all flats.

5. Changes to the constitution

Changes to constitution were put to the AGM, to reduce the necessary quorum from 15 or 15% of the membership, to 12 or 12% of the member flats. Approved by the meeting and now subject to CWH approval.

6. Major works update

Jeremy Vinson and George Gardner from Baily Garner, Duncan Finch from Avanti and Lorraine Roach from CWH, attended the committee meeting at 6.30 before the AGM. Rita Bailey is no longer with CWH. Loraine Roache is our new principal contract. CWH are moving to Term Contracts, for a 10 year period which means one major contractor will be appointed in October for all works. LR said she will try to plan the major works together with the heating decommissioning together. The roof repairs will start on site in May 2017. There was a new presentation by Avanti and Bailey Garner. A full condition survey, comprehensive and detailed report, from that we have costs and schedules of works that need to be done was to be provided after the meeting to the secretary. This included some urgent construction elements, passed to asset strategy team to look at asap. We are now looking at a 2019/2020 cyclical program to include windows to communal areas, air vents, the

staircase windows and the flat windows, plus some repairs and roof level doors. Window options included various systems 2/3 suggestions, slim frame option with 2 or one more affordable. One important change is under the new 10 year Term Contract, the appointed contractor's scope includes design work. Avanti have yet to do the design work, the committee asked that Avanti as designers be put that on the client brief, and that we included the RAL aluminium colour. LR explained that due to the high cost per resident (if over 20K per flat, CWH have to present to residents) and residents can halt it at planning application. A conservation officer would be consulted for the bedroom windows, as the balconies screen the living room windows. According to LR 'where a leaseholder has replaced their windows, CWH would check the condition is OK, and standard is OK, there would be a set criteria about 'CWH standard', if they are in good condition, they won't need replacing, however the resident is are legally obliged to contribute anyway'. Darren Townsend, from CWH would be taking care of any consultation. The committee challenged LR on what constitutes a contractual need to repair or replace the windows and she referred to a Pellings report on our windows, which no resident was aware of, so we requested to see a copy of it.

7. Major works legal advice; Darwin Law

NV reported on the legal advice obtained by Andrew Darwin of Darwin Law concerning the leases and the windows. Leaseholders' Repairing obligations, the Leaseholder is required to keep in good and substantial repair the demised premises including all doors, door frames and windows (sky lights above internal doors) save that in respect of external windows the obligation is limited to the decoration of the internal parts of the windows. Landlord's Repairing obligations, the Landlord is required to keep in good repair and condition the main structure and the windows in the Estate but excluding those parts governed by the Leaseholder's repairing obligations – therefore the exterior. This means the landlord can repair bedroom and balcony windows (or replace if that is a more cost effective option) if they can be shown to be in disrepair and charge the leaseholders through the service charges. However it Balcony doors and their frames are not part of the landlords property and therefor they can't repair or replace them.

Within some leases 'improvements' can't be charged to leaseholders. Case law suggested that replacing single glazed windows with up to date double glazing is still within the general concept of repair so would not be counted as an improvement.

Summary, the landlord would have to have a clear legal case for repairs or replacements and be able to show that all or the majority of windows are in disrepair before embarking on complete window replacement. The landlord would be unable to enforce replacement of balcony doors and their frames at all, which would make replacing balcony windows rather complicated.

8. Anti social behaviour

Further to a meeting with CHW ASB team and the local police it was agreed, after some delay, that CCTV would be installed in the lobby and the undercroft. The meeting was asked if to reduce antisocial behaviour from the University Students and other non residents, the benches in the front and rose garden should be removed. It was agreed not to have them removed, however sensor lighting would be welcomed.

11. Re-landscape scheme update

NV updated from Westminster, it has now been announced that (subject to planning) the Marylebone library is to be located at Seymour Leisure Centre. Since this announcement WCC have been liaising with numerous Council services to establish the need for an alternative community facility on our site, WCC have been sufficiently encouraged by the level of interest expressed thus far and are preparing an options paper which will be submitted to Councillors by the end of February for their review and comment before sharing with the LTRA.

12. Membership campaign

AR and JB offered to organised a membership drive between 5 to 7pm in the lobby.

13. Reports by committee members on; Estate Inspection / Gardens. The meeting noted that the bulbs looked lovely.

14. Any other business

Date of next meeting

15 May 2017