

WOODBERRY DOWN COMMUNITY ORGANISATION Board Meeting

MINUTES

Thursday 14th December 2023
6:30 pm Redmond Community Centre

Attendance

Andrea Anderson, Geoff Bell, Hilary Britton, Euphemia Chukwu, Phil Cooke, Adrian Essex, Oonagh Gormley, Jackie Myers, Ngozi Obanye, Tina Parrott, William Sheehy, Omar Villalba, Leonora Williams, Dulce Laluces, Gloria Obiliana, Doreen Cox, Mina Faragalla, Maggie Lewis

Guests Included

Simon Donovan, Simon Slater, Ameera Hassan

Section 0 - Introduction

1. Welcome / Apologies for absence

2. Elaine Gosnell, Kalu Amogu, Jacquie Knowles, Barbara Panuzzo, Kristina Zagar, Donna Fakes, Berkeley Homes and London Borough of Hackney, Notting Hill Genesis

3. Acceptance of minutes:

3.1. The Board enquired about the accuracy of page 9, paragraph 6.2 which refers to the heating. Oonagh said to Adrian that the lease is not specific about the heating services agreement. This has since been overtaken by events.

ACTION: Hilary and Oonagh will send the wording to Simon to amend this paragraph.

4. Matters Arising / Action Tracker:

4.1. Masterplan: The affordability presentation will be delivered at the January or February Board. The partners are aware they are expected to send the information seven days in advance to the Board. There was some discussion about the presentation going to the Design Committee before coming to the Board. Simon suggested that it seemed sensible that issues pertaining to the Masterplan first went to the Design Committee.

4.2. Omar was concerned that Anthony Green from NHG had agreed to a meeting to discuss the Birchwood 2020/21 accounts but had decided to delegate this matter. The meeting still hadn't been held and Omar was concerned that residents at Birchwood have waited for over 19 months for a service charge refund. He suggested that would like to write a joint letter with the WDCO Chair, endorsed by the Board to the Round Table, the Chief Executive of Notting Hill Genesis complaining about the delay. Simon reported that there was an update on the action tracker stating that NHG have not yet completed the reviews into the 20/21 Service Charges and so cannot confirm an amount that they may refund. The Board agreed to endorse Omar's suggestion of a joint letter with the WDCO Chair.

ACTION: Omar will draft the letter and circulate this via email to Simon Slater, Roda Hassan and Jackie Myers.

4.3. William reported that the TV reception at Rowan and Hornbeam is still poor and that Trevor provided a statement from Berkeley that a Freesat box is the only way to get all the channels. William wanted to find out whose responsibility it is to get the Freesat box - NHG, Berkeley, or the residents? Simon reported issue was discussed at the NHG operational meeting and it was down to NHG to sort out with Berkeley as the new phase 3 blocks being built in front of Rowan and Hornbeam which are impacting the TV reception. A communal aerial will be put on the blocks for Phase 3 but this will not act as a booster for Rowan and Hornbeam. In the report, they identified the possibility of raising the aerial on Rowan and Hornbeam but blocks are not designed for an aerial on top due to an engineering issue.

ACTION: The ITLA will chase this up with Berkeley and NHG.

4.4. WDCO have not received the buyer demographic information from Berkeley ahead of the December Board.

4.5. Hermione informed Simon that Isobel will be meeting with Deputy Mayor Guy Nicholson on Friday 15th December regarding his outstanding actions following his meeting with WDCO .

4.6. Roda had a discussion with NHG about their heating billing company. As a result, the new billing company Vital have sent information this week about themselves and how they will be billing the cost of heating and FAQs. Maggie Lewis reported she hadn't received the information, Simon responded that was because Green Lanes wasn't part of the neighbourhood heating system. Maggie had received a letter on the new service charges for 2024/25 and asked what do the landlords cover/pay for? Simon suggested that board members who have any queries about service charges to feed this back to their TRAs or to the ITLA.

- 4.7. Simon informed the Board that the he understood that the community space in Block D will not be included in resident service charges. But would double check with Hackney.

ACTION: Simon will follow this up with Hermione.

- 4.8. Before going on holiday Roda updated Simon that the partners would provide updates to the Board actions, he had chased these up but only received a response from NHG. Adrian reported to the Board the outcome of his discussions regarding historic heating charges, namely that that Berkeley have now capped their charges and will withdraw the reclaims. Adrian gave credit to the work of the Residents Association, including Oonagh, who established that the legal basis for the charges was inappropriate. Oonagh informed the Board that they went back to their leases and it seems that in the absence of any other agreements about heating, heating charges are a service charge which means they fall under the rules of service charges and can not go back more than 18 months. The TRA pressed Berkeley on this and Berkeley accepted the point and have applied it across all their blocks. The impact of the change was huge as the 5 months they didn't now have to pay for were the most expensive months. Hillary also stated that KSS3 have established that before the budget goes out, the TRA meet with Rendall and Rittner and go through the budget before the letters go around to everybody. Omar raised that before setting up their TRA, the service charge accounts had not been looked at for years and suggested that the Board get confirmation from NHG that they have done their due diligence and have reviewed that the service charges are correctly attributed.
- 4.9. Adrian suggested that the Board would benefit from strengthening the TRAs. Some of the Board members stated that they had not heard of the TRAs and that other parts of the neighbourhood do not have a common place to raise issues. A numbr of Board memnners made suggestions as to how residents might get to be involved or set up resident associations. Simon reported that TRAs are able to become associate Board members of WDCO within the constitution and that the ITLA find out from freeholders where there are recognised TRAs in order to write to them and ask them to join. As for setting up TRAs, Hackney and NHG have specialist sections whose job is to develop tenant and resident associations.

4.10. Section 1 - Introduction

5. Partner Updates:

- 5.1. The Board members raised concerns about the closure of the Woodberry Down community Club and the cost of the Redmond Centre. Simon Donovan reported that the community club is run by Hackney community halls but was shut down due to health and safety reasons and the Redmond Centre is run by MHDT and have to fund themselves but allow

elements of the space to be freely used. Simon Slater stated that the WDCO office is open for people to meet and that in Phase 3, there will be a 50m space as a ground floor shop unit under the control of NHG as apart for community use. NHG have been asked to say how they intend to run it but have not come back to WDCO or the Design Committee with a proposal. Simon believes this will be some form of community space either low rental or for free. This will open in September 2024.

- 5.2. The Board asked Simon Donovan about the costs for community centre and why they have to pay for the community centre when the community want to the space for use for meetings? Simon responded that the tenant's association get this space for free and the reason that the social club closed was because they could not keep the upkeep and that MHDT try to keep the space as cheap as they can. Cllr Sarah Young reported that she had meetings with the council and community club members and that the club had reached a point where the number of members significantly dwindled, the money to upkeep the club was not able to keep this going and the building had reached a state that was not safe after council inspection. The council had to shut the building down due to health and safety breaches. They had looked at options for doing work on building, however, this was too costly and would have to become a building that was let-out in order to run it. This is within the shape of the Masterplan and Sarah suggested that WDCO ask for the space to be replaced if this will be knocked down and to show that there is a need for this space. Geoff added that when this issue was raised to the Design Committee discussing the Masterplan, WDCO raised the fact that the community centre/social club was lost and that they had previously promised to replace this. However, the answer given now is that WDCO have Block D which is a different part of the estate. Geoff raised that the consultation period for the Masterplan is over now but the Board should make a point that this was promised. Simon clarified that in the current Masterplan for Phase 6, they have identified 950sqm for the re-provision of the community club, The Edge and a small community space. Being in the masterplan does not guarantee that this will be re-provided and that when they go to detailed design for phase 6 arguments around reprovision would need to be made then, but on planning grounds, there is enough space for this to be re-provided in the current Masterplan.
- 5.3. The Board asked when the space in Phase 3 will be available. Simon responded that Hackney Council were trying to sort out the head lease with Millco. Millco would carry out consultations with a number of groups on and off the estate and once this is decided there would need to be a fitting out. Sarah added that Berkeley promised to pay for the fit out at a certain level and that there is negotiation between the council and Berkeley about the fit out costs.
- 5.4. Adrian updated that he spoke to Simon Donovan about the usage figures for the centre and that Simon is happy to make changes.

ACTION: Adrian advised the Board members who have a written statement of what they want in terms of occupation of the building to inform Adrian and he will pass this onto Simon Donovan. They will come up with a statement which satisfies the Redmond Centre and the other centre's Simon is responsible for.

5.5. Adrian also enquired about a heading on the Berkeley report regarding the progress of sales and raised that there is a big retail area in phase 3 and that it would be good to know the progress of letting those shops.

6. Executive Committee (1 vacancy):

6.1. There is a vice chair vacancy available as Kristina has left the Executive Committee.

ACTION: The Chair will write to the Board members when sending the minutes asking if there is anyone who wishes to put their names forward.

7. Board Discussion without partners

7.1. **Phase 4:** Simon Slater introduced the discussion and the circulated papers. The Board had discussed the Phase 4 proposals last year and had some concerns about the design. This was when the Designs hadn't been finalised, they went to the Pre-Planning Subcommittee where Councillors on the Planning Committee were being updated on progress of the design for Phase 4 and could ask questions. WDCO fed in to the discussion process to share their concerns. Since then, there have been further design changes due to recommended changes to building standards as a result of Grenfell. A second escape stair has now been added to each of those blocks and blocks have been made higher. Berkeley have submitted this to planning for a decision which is due to go to the Planning Committee in February and is out to consultation now. If the Board wish to make comments to the Planning Committee, either supporting or objecting the application, they should make a decision on what to say. The ITLA had circulated the Board's previous comments.

7.2. Geoff raised that the Board were told this would be going to the Planning Committee in March and that planning is usually in the first week of the month. Geoff also highlighted that there are 90 new social homes in the next phase and the figure that they were knocking down 120. The minutes of the Pre-Application meeting show that they are knocking down 144 council homes and replacing these with only 90 social homes. Geoff stated that the Planning Committee had commented that this was against Hackney policy and that to make up for these homes there had to be an additional number of social homes in later phases. Since then Berkeley have produced their Masterplan and there are no additional social homes planned in the Masterplan and they are building less social

homes than they are knocking down. As a result Geoff will be preparing his own submission opposing Phase 4.

- 7.3. Simon clarified the timetable, namely that the ITLA had sent an email to the planning officer and got a reply on Tuesday 21st November that this will go to the committee and that it will be no earlier than the February committee. The consultation end date is 13th December and comments will be accepted up until the date of the Planning Committee.
- 7.4. Sarah clarified that in terms of attending the Planning Committee, the Board can add a written submission and either have a Board member come to the Board to speak to the Planning Committee or ask the ward councillors to speak on their behalf. Sarah recommended that a member turns up to the Board in person as the Planning Committee is made up of ward councillors outside of Woodberry Down who are not fully informed about the regeneration.
- 7.5. Geoff mentioned that when WDCO made a submission about the second tower and said they were neither for or against, the rules were that if you are not 'for' or 'against', you could only speak for one minute, and if you were, then you could speak for 5 minutes. Sarah clarified this procedure has not changed. Adrian raised that if the Board want to object to podiums, someone needs to find which planning policy this breaches.
- 7.6. Joan Wheeler, chair of the Woodberry Down branch of the Labour party, informed the Board about the financial viability assessment relating to Phase 4, and that their executive has endorsed the earlier WDCO submission in relation to Phase 4. In her view the financial viability assessment allows the developer relevant bit of policy requiring to get round the Hackney Plan affordable housing provision, namely " a tenure split for affordable housing provision comprising 60%". This information is available online on Hackney planning portal.
- 7.7. Simon Slater suggested that the Board decide their comments and the ITLA are happy to work and try identify elements of the planning regulations this might impact upon. But he said any comments made would be considered by the Planning Officer in their report and they would highlight any planning regulations that the comments would relate to. Geoff asked if this application has to agree with the Hackney plan and the Hackney climate action plan. Sarah answered that to get through planning process, this will need to meet with planning law or will need to be within an area where the planning committee are entitled to allow something even though it does not fully meet the policy but accepts the reason why it does not meet the policy.
- 7.8. Omar asked if Berkeley had responded to the WDCO letter to the Pre Planning Sub Committee. Simon said that they responded and made changes. The podium spaces are still the same but they have talked

about allowing some elements of the communal podium garden to be accessible to the public if there is a library included as part of the town hall square. The original comments were made prior to the change in building regulations around the additional fire stair which has led to higher blocks.

7.9. Geoff raised that it is important WDCO makes a statement because the question will be asked on WDCO's view. He suggested that the Executives come to the January Board with a revised statement for the Board to consider.

7.10. Omar suggested that Board Members send their individual comments to the ITLA to produce a draft that they could review collectively as a Board. Oonagh agreed with Omar as they are in danger of contradicting themselves and to ensure that any statements made are coherent and sensible.

ACTION: The Board members will email their thoughts about the document to Simon and Roda who will prepare a paper of their views to send to the Executive Committee for discussion prior to consideration at February Board.

ACTION: Simon will recirculate the summary of Phase 4 to the Board members.

8. **Written question:** Geoff put a written question on the agenda for Berkeley. Berkeley had issued a national statement that they had put investment into new housing developments on hold due to an unsupportive operating environment. The statement went on to say why they are putting their investment on hold, listing a number of changes including updates to the national planning policy, local plans, regeneration act, second staircase rules, changes to building regulations on energy efficiency, ventilation and overheating and a new building safety act. Berkeley stated they are opposed to these which is why they are going to stop investment.

8.1. Geoff asked whether this will apply to Woodberry Down as some of these issues have been raised at the Board and Design Committee, such as the second staircase rules. Berkeley said that there was no need for a second staircase and that London authority was opposing these rules and this recommendation for a second staircase came from the fire brigade after Grenfell. This puts in question the Masterplan from Phases 6-8. He said that under the principle development agreement, Berkeley can walk away after Phase 5. Geoff suggested that the Board ask Berkeley what effect this will have on Woodberry Down. Simon updated the Board on Trevor's response to the question: "the statement related to acquiring new developments are non-existing. We are unequivocally committed to delivering Woodberry Down in accordance with our commitment to the partnership of Woodberry. The strength of this partnership enables us to

continue to deliver despite the difficult operating environment we are currently faced with." Simon also reminded the Board that Berkeley Homes and NHG had included a second staircase in all the blocks in phase 4, even in blocks lower than the threshold for the new building regulations and that flats in NHG blocks all had sprinkler systems.

- 8.2. Hillary felt that Berkeley are saying if the circumstances are such that they cannot build houses at a price that allows them to make an adequate profit, they will return funds to shareholders rather than build houses they cannot sell.
- 8.3. Omar suggested looking for confirmation from a strategic level that they will continue to deliver the scheme beyond Phase 5 and for a statement from the chief executive that they will continue this.