

**Maunsel (Fourth Co-Ownership) Housing Society Ltd.
Committee Meeting held
on Monday 24th January 2022 via Zoom at 7.30pm**

Present: Denise Heywood (DH), Sarah Collison (SC), Rachael Vick (RV), Bella Murray (BM), Judith Blakeman (JB), Robert Larkins (RL), Ben Lamb (BL), Murray John (MJ), Jennifer Jeffrey (JJ), Michael Lynas, Dominique Van Roey (DVR), Philippa Collie-Cousins (PCC)

Guests: Olivia Cox - Minute Taker, Marie Travers (MT), Charles Samuels (CS), Raymond Powell (RP), Rick Fisher (RF), Carlos Lock (CL), Russell Mulchansingh (RM)

1	Apologies - Basia Kapp (BK), Ben Gladstone (BG)	
2	Minutes of the last meeting - All agreed upon. RL flagged the final item from Nov meetings, paragraph 3, which refers to the status of Charles Samuels. MT replied that CS will be discussing the fences in tonight's meeting. CS fees were circulated again to RV and BM directly after the November meeting.	MT, CS
3	Intro of RP	
4	Charles Samuels - fences	MT
5	Dog at no. 30	MT
6	Agenda for AGM	MT
7	Ace Security	MT
8	AOB	MT

3. Raymond Powell (RP): RP was introduced and given the opportunity to address the Committee. RP has put compost down in one of the beds and needs to know whether he is going through the correct channels for questions, e.g. for organising ordering materials. BM confirmed that she is the correct person, since she is the new Treasurer. RP would like to get more compost down in the square so will make contact with BM

regarding this. RV asked if RP wished to get more involved in the gardening - watering beds, weeding etc. RP reported that at certain times of the year, various beds will need specific watering etc. RP suggested organising some sort of hot weather plan if there were residents available to help with watering. SC told the committee that she has been taking charge of the vegetable patch, and wanted to check whether going forward RP would like her continuing this. RP happy with this to continue. Committee also happy.

4. Charles Samuels - Fences: CS told the Committee that enquiries were made last October regarding the fencing, which went out to three fencing contractors. One Contractor has come back with rates based on MJ's specification. CS has gone out to another two, as the previous others did not come back with a quote. CS is waiting on 2 more schedules of rates. CS will then assess the fencing that needs to be done and come up with a report on the fencing contractor options. MJ suggested working out the extent of work ahead of getting the quotes. CS has looked at fences to the rear (Lancaster Road), and on Bartle Road. He believes there is a significant amount of repairs and replacements to be done, so does not feel comfortable making the assessment. Suggestion that MJ assists. CS believes that all contractors will come up with different ideas. MJ asked where this fits in regarding the main building works. CS believes some (the urgent repairs) before the external decs and some after.

MT added an update on the external works. The consultation process has come to an end and all quotes have been compared. At the AGM CS will give a brief update. Next step will be to instruct the contractor (Mark Alexander). Part of the initial work will be giving an update on dates. RF wished to query why the potential repairs are being carried out on co-owner's windows when they have previously been given the opportunity to replace. Some frames are potentially coming to the end of their lives and RF feels it is unfair that Maunsel should continue to repair windows when people haven't replaced. RF feels that one of the reasons owners were encouraged to replace windows was to limit cost to Maunsel (through service charge). MJ replied saying that although this is a problem, it would be very difficult to sub-divide service costs. MJ & CS established on the last check that many windows only needed a swap-over / filler / small repair. Any significant repairs were passed down to co-owners. CS clarified that it is not just the timber-work, it is also the glazing, to make the windows more thermally efficient. CS's opinion is that people should be encouraged to replace windows.

BM reported that there was a conversation regarding people who hadn't had their windows changed despite the advice that they should, on the basis that they will be needing extra repairs if they will not replace. RF added support to this. DVR suggested that some people who haven't changed windows don't have the money to do so. DH agrees and is hoping to address the problem of her windows in the next financial year.

JJ agreed, but suggested she would be willing to pay some sort of sur-charge to avoid others having to contribute to that.

CS believes that at the moment there are around 6-7 lots of windows to be replaced but this is yet to be confirmed. There are 3-4 due to be done in March, and another 2-3 later. RL raised the issue of ivy / creepers around windows. CS has made allowances for this. RL further raised the vegetation on the handrails. CS again confirmed that he has made allowances for this to be removed as part of the re-decs.

DH asked when the absolute deadline to committing to new windows would be. CS told the committee that Natural Windows will do the windows at any time. MJ suggested there will be a real difficulty ascertaining who has what window requirement. In the past, people have never been singled out for paying special sums. He believes avoiding niggly computations should be avoided wherever possible as this could be divisive.

ML suggested that people who do not have a window replacement could be asked to make a greater contribution in lieu because of the higher risk of needing repairs etc, and then if they do go for a replacement later on, that contribution would be re-paid against service charge. This could be seen as an encouragement / reward for opting for new windows.

BM responded that establishing exactly how much each co-owner owed would be very difficult due to different numbers of windows in each property etc. BL suggested WS could have a target in a set amount of time, whereby there will be an additional levy on service charge, similar to emissions targets on vehicles etc.

5. Dog at no. 30: In November, MT presented a draft solicitor's letter. Query whether this letter is to be sent on to Andy or not. Committee reported that the dog is going. MT to approach Andy for clarification. MJ raised the question of legality regarding dogs - If people have not requested permission for their cat, this is the same. MT read out the draft letter. MT reported that at the moment Andy has refused to ask for permission. The next stage would be to send the letter if the dog has not gone.

JJ is concerned that if Andy goes to tribunal that WS is open to legal action in response, since there have been dogs in the Square previously whether permission was given or not. MT reported that in the nearly 8 years that she has managed the Square, she has been approached maybe two or three times. Each time has been refused. There was one time that a tenant moved in on a short term let with two dogs. The co-owner was asked to give notice to the tenant since this was in breach of their lease. The tenants

(and dogs) left. When people have brought a cat to the square, this has been when a solicitor has already got permission for the cat ahead of the purchase.

RL summarised that essentially Andy is operating outside of the lease that he signed. RL believes Andy should either get rid of the dog or leave the square.

MT reported that as it stands legally, Anna is still the co-owner.

PCC raised that Andy has named the dog as emotional support. In the lease it doesn't specify no dogs, it references all animals. PCC thinks the letter is quite non-conciliatory, which doesn't reflect the ethos of the square.

DVR told the committee that she bumped into Andy's girlfriend with the dog, and the dog is a new dog (possibly a puppy), which puts paid to Andy's original story that the dog belonged to his father.

BM raised that the bottom line is that Andy has not sought permission.

MT asked for a show of hand whether MT should send the letter or not.

The difficulty is that the Square does not want to incur legal costs, but also it is important not to set a precedent.

BL suggested doing an audit, giving everyone an opportunity to declare their pets before the legal route is pursued.

ML suggested it might be good to write to everyone given that the issue of cats and other pets has been raised, to ask who has what so that the Committee can consider on a case by case issue.

JB raised whether she has permission to have a cat in perpetuity, or whether she needs to request permission for each cat.

SC believes someone should ask for permission for a pet in every case, as it gives the opportunity to know how many pets there are. This would also give greater transparency and clarity.

MT to contact Andy to ask whether the dog is still there, and give him a time frame in which to respond. Solicitor's letter to be sent afterwards.

6. Agenda for AGM - RV asked if everyone has had a chance to look through the agenda, and read out the proposed agenda.

As confirmation, the AGM will take place on zoom again this year.

RV raised the issue of 'propaganda' and asked whether this would be an itemised point at the AGM.

MT to send notice of AGM to all co-owners, and circulate forms for new Committee members. People cannot be nominated at the AGM itself, this has to be done in advance. Legally, 21 days notice of the AGM has to be given. MT further clarified that the AGM is Monday 21st Feb 2022.

SC reported that she will be resigning from the Committee and is not seeking re-election. RV will be looking to resign, and the AGM will be the last thing she will do. She will be leaving both as chair and as a Committee member. RV has an email and diary set up which she will pass on to the next person.

JB raised the Living In Wesley Square document and whether the propaganda issue would be added as a point or whether to include it in AOB.

RL raised the lack of discussion of the document as a Committee.

MT does not believe it would be productive to open this as an item to the AGM. JB believes the Committee should come together to agree on the booklet. JB noted that there was a lot of work done on the booklet by the sub-Committee, and members of the wider committee didn't agree with some of the points made. MT suggested if anyone feels strongly about a certain issue, to message MT separately.

MT suggested circulating the final draft to all co-owners. Agreed.

7. Ace Security: MJ wished this to be raised. Three co-owners got ticketed before Christmas because they didn't park within the bays on Bartle road. Russell did a report for this, and MT to approach Ace security. However the rules in place required a permit required on top of parking within the bays. The argument is that some of the bays are too small for a car to properly fit.

SC noted that the signs are not consistent. In at least two of the bays it does not say that you have to park within the bays, and in one it does. SC believes that the point is to stop other people from parking there, not residents. SC has measured the bays and

they are not in line with parking guidelines. MT has followed up saying that there should be no ticketing until the road is properly resurfaced and bays properly marked. From now onwards they will not issue tickets for properly permitted vehicles. MT to approach Ace Security regarding these previous tickets.

AOB

(i) BL raised the sound coming from next door to him, and asked if there is some way to come to a solution. DH raised support to this since she has had to endure constant noise for the past four years. She has raised this repeatedly and there has been no resolution despite it being incredibly distressing. PCC asked to have a conversation offline and told the committee she is keen to resolve the issue.

The property in question is no. 13, next door to BL. DH is above. PCC rents the property out. BL reported that the extent of the noise has diminished his experience of living within the square. PCC accepted that she needs to address this. CL added that the experience has been horrendous, and he put his flat on the market as a consequence.

RL believes that people who rent their property out are responsible for their tenants. Excessive noise is outside the terms of the lease. The conditions of the lease should protect other Co-owners.

DH reported that this is now a problem that has been going on for 4 years. She has repeatedly brought this to the Committee but there has been no action by either PCC or the Committee.

RL researched this and discovered that there are devices that can record the time of disturbances, with the level of the sound. This gives a way of immediately quantifying the noise nuisance.

BL noted that the noise level is getting worse on a daily and weekly basis.

MT reported that the issue really is for the landlord to address. BM asked what authority the Committee has. ML requested that PCC excuse herself for this issue since she is primarily involved. PCC claimed she has attempted to contact DH, to which DH reported that there has been no contact over the entire four years. BL also added that he has tried to reach PCC twice and his contact was ignored. PCC told the Committee her mother is unwell and asked the Committee for some time to resolve this.

ML strongly believes that the conversation should not be taken offline as per PCC's request. ML believes that if the Committee is considering legal action against a puppy, they absolutely need to discuss and take fair action regarding breach of lease regarding noise. RF reported that DH had to move out of her flat and into his while he was away in order to get a proper night's sleep.

MT noted that it is for PCC to resolve this issue, and suggested PCC could issue notice. PCC also has the terms of her lease. Her tenants have caused interruption / nuisance, so she could potentially be in breach of her lease. Mediation has been suggested in the past, but MT believes this should not be funded by Maunsel.

RL believes that the bottom line is that the landlord is responsible for their tenants adhering to the lease. The lease clearly states no un-due noise. RL believes that PCC is in breach of her lease.

MT asked what PCC proposes to do. PCC says she is taking action, and proposes bringing it to the next Committee meeting. MT noted that the next meeting is in April which is a long time for the distress to continue. PCC would like to not address this now and instead invited DH and BL to speak to her on Wednesday.

DVR noted that this began as a temporary measure after Grenfell and flagged that 4 years is not temporary. PCC agreed.

ML asked what happens if nothing happens to the satisfaction of the complainants, and asked whether a special committee meeting could be called.

MT reported that all the proper checks were initially carried out for a year-long tenancy, which renewed.

BM is concerned that the Committee has no authority in this sphere, but RL countered that PCC is in breach of her lease which requires action.

JB told the Committee that the council doesn't provide homes for people if they are safely housed.

BL flagged that PCC would be entitled to take her house back if she wanted, regardless of whether they came through the council re-housing displaced Grenfell residents or not.

PCC to meet with BL, DH, Carlos and others being affected by the ongoing noise.

BL flagged that this is an ongoing issue to be discussed that there is nothing in place to protect residents.

RV summarised that precedence has been set and the committee is awaiting PCC making contact with those involved. BM suggest that communications between those involved and PCC should be flagged / reported / minuted to MT and the Committee.

(ii) No dogs sign at the entrance to the gates coming into WS: A cat was recently attacked by a dog. MT asked whether this is something the Committee would like her to action. BM suggested that even if there had been a sign on the gate, the dogs were off the lease and therefore a sign on the gate might have had no influence. JB raised this because someone recently was exercising their dog in the square. When challenged, the person asked where the signs are saying that there are no dogs allowed on the Square.

(iii) Agenda at AGM: RL would like disclosure of any commission arrangements with Natural Windows, in full transparency. MT to discuss this with CS, but the contract is individually between Co-owners and Natural Windows. MT doesn't believe this is a matter for the AGM. Post meeting note: following the meeting it was confirmed no commission has changed hands between Natural Window and Charles Samuels or JMW Barnard Management.

BM raised the issue of getting a new Chair for the Committee since RV is resigning. MT suggested discussing this at the next Committee meeting since RV will be just resigned at the AGM.