



## Minutes of the HLRA AGM 9<sup>th</sup> September 2024

**Present:** Sarah Hands (SJH) (Chair), Keith Bristow (KB), Robert Butler (RB), Ross Hollingshead (RH), Sam Hollingsworth (SHW), Nicola Hughes (NH), Melanie Johnson (MJ), Angela Ogbe (AO), Lyn Roberts (LR), James Sturgeon (JaS). Approximate 15 residents were also in attendance.

**Apologies:** Karen Brown (KAB), Annette Davies (AD), Ashley Hasler (AH), June Heslop (JH), Claire-Louise Turnham (CT), Claire Wych (CW).

### 1. Welcome and opening statement: Holborough Lakes Residents Association (SJH)

The HLRA over the last year have been working on a number of ongoing projects, we have been able to reduce our action list down to a manageable level with a handful of ongoing and larger projects now the main focus of our attention, sadly these items require longer target dates and require the input of Berkeley Homes, TMBC and KCC making progress to completion slow.

We continue to work with RMG to improve the gardening provision across the community and with a full team of engaged and motivated staff, we are looking forward to seeing the community looking its best. Our focus for the next few months will be to work with the gardening team to ensure that the newly created wildflower areas are maintained and kept in good order and the bindweed is controlled and systematically removed.

We are also continuing our work on all the electricity costs and obsolete electricity meters and will continue engagement with RMG and Berkeley Homes for their removal where appropriate. We have so far identified where the projected but unrealised overspend in the budget has happened and what can be done to ensure that going forward better contract management can be achieved.

### Community Concerns and Achievements

- Improvements and repairs to the cobbled areas
- Roll out of Fibre services across the community
- Installation of dropped kerbs along the village green and creation of safer crossing places
- Migration of water feature maintenance contract
- Road markings to Matthews and Deans Close
- Repairs to the hoarding at the Southern Water compound
- RMG Living portal access now available to SHG residents
- Removal of the damaged Buxus and planting of alternative species
- Repairs to Southern Housing damaged guttering
- A published calendar of cyclical block works on the noticeboards
- Approval for new gardening equipment which will assist in the grass waste levels
- Investigation into outsourced gardening services
- Repairs to the cracked and bonded paving – repaired but further work required.
- Installation of additional dog waste bins
- Full review of costs for LED energy saving bulbs in all bollards.
- Installation of timers for water feature and Village hall heating
- Full and ongoing review of electricity charges, RMG contract placement and budgeting procedures
- Repairs to the parks identified and carried out
- Repairs to the Southern Housing door entry systems reported and on planned maintenance
- Clarification from RMG on Service Charge Ratios
- Website rewrite
- Creation of wildflower areas to promote bees
- Approval for new gardening equipment



### Accounts Inspection

In addition to the above, we would like to thank the small group of volunteers outside of the HLRA whom give up their time to review the invoices that make up the service charge accounts, they were able to successfully identify a number of cost savings in the 2022 accounts which have been reflected in the service charges.

### Anti-social behaviour

Over the last year, the Anti-social behaviour task force has worked together to tackle this ongoing problem. One ringleader has been removed from the community thus making it possible to manage the small number of youths that continue to frequent our lake and surrounding community. This taskforce has worked tirelessly over the last two years, and we are finally starting to see the benefit of the measures in place, with improved CCTV, botanical deterrents and the provision of sporadic security. The lives of the residents in that area are much improved. Sadly, Berkeley Homes have much more to do and we shall continue to work with them to continue this work.

As of the end of this summer, we have come to the end of our work with the Anti-Social behaviour taskforce with valuable resources being diverted back out to the wider public and surrounding communities.

We maintain the overriding message is that if you see action befitting harm to person or property, please report this to the police at your earliest opportunity, every incident is followed up.

### The Role of the HLRA

There has been some speculation of late regarding the role that the Holborough Lakes Residents Association holds and the power that we have, for the sake of clarity I would like to make the following statement:

The Residents Association is a group of volunteers whom each have a one vote share to sit on the committee, our purpose is to represent the views of the community as a whole, we in no way receive any form of compensation, financial gain, recompense or salary for doing so, there is no personal interest to be gained by sitting on the committee, we seek to be a bridge of communication between RMG, Berkeley Homes and Southern Housing Group to discuss the community we live in, review processes, discuss improvements and feedback ideas for growth and sustainability.

Berkeley Homes employ RMG to manage the site on their behalf this includes everything from block management, grounds maintenance, to parks and green spaces. As a courtesy RMG and Berkeley Homes afford us (the HLRA), the opportunity to discuss matters of concern or improvement within our community.

The full scope of our remit is contained within the constitution which is available on request.

It is for Berkeley Homes to decide when Holborough Lakes is handed over to the residents and at that point a board of directors will be appointed to Holborough Management Company and only then will that board of directors be in a position to renew the contract with RMG or appoint a new managing agent, Holborough Management Company will have no paid directors on its board.

## **2. Ratification of Changes to the HLRA Constitution.**

*(Proposed amendments are in bold lettering)*

Under Para 4. 'Management Committee'

All members wishing to apply to become an ordinary member must provide the following:

- Synopsis of their background

- Detail of their experience and/or relevant skills
- Confirmation that they will be able to attend at least eight meetings per year
- Attend one meeting as a guest to understand the format, conduct and procedure of the Committee
- **Declare any involvement in a business venture operating within the Holborough Lakes Estate.**
- On receipt of the above criteria the HLRA will make an informed decision about suitability before being voted in. An immediate decision will be given to the applicant.

Under Para 6. 'General Meetings'

(f) All matters for decision will be decided by those members present. **A member should declare any potential conflict of interest and The Chair will decide if their vote will be included.** The Chair retains a casting vote. Referendums or surveys of residents' views must be carried out where possible before any community wide alterations are agreed or the Transfer of Terms are challenged or changed.

Both changes were ratified by a unanimous vote & the constitution will be so amended.

### **3. Election of committee members for 2024/25**

At this point in the meeting, James Sturgeon took the chair. All existing members stood down. The following members were re-elected to the HRLA for 2024/25 'en bloc':

Keith Bristow, Sam Hollingsworth, Nicola Hughes, Lyn Roberts. By proxy – Karen Brown, Annette Davies, Ashley Hasler, Claire Wych.

Attending residents were asked if any would like to join the committee & the following were elected to the committee:

Shelby Ellis (Proposed by NH, seconded by SHW)

Paul Hoskins (Proposed by David Curry, seconded by Sarah Hands.)

Liana Berkeley-Hill expressed an interest in joining the committee and will be invited to the next meeting.

Volunteers were requested for the following positions on the committee-

Chair- No volunteer. (The current Chair, Sarah Hands, volunteered to remain for a 30-day hand-over period.)

Vice Chair- No volunteer.

Secretary- Shelby Ellis.

Next Meeting: October 14th at 7pm by Teams/Zoom

### **4. Berkeley Homes Report (RH)**

#### **1. Road adoption.**

The adoption of roads is progressing according to plan. It is anticipated that the Section 14 Highways Act 1980 process for adoption will be completed around March 2025 and the aim is to then complete the required 12-month maintenance period and hand over the estate to Resident Directors. BH will, within the next 12 months, send out a plan of adopted roads. RH confirmed that the remaining length of unadopted road of Manley Boulevard and the bus lane will be adopted, but BH are waiting on specifications from KCC. He emphasised that where yellow lines have been removed on adopted roads this has been at the requirement of KCC & he encouraged anyone with concerns about their removal to raise them with KCC. RH requested that if residents were engaging Open Reach to install fibre broadband to liaise with RMG prior to the work commencing. This was to ensure that Open Reach were fully aware of their responsibilities in making good any road damage they caused to the standards required by KCC and thus avoid disruption to the road adoption plan.

2. Cobbles/bonded paving. Works have been completed & the areas are being monitored and referred for remedial action where required.
3. Obsolete Meters. BH have now identified these meters as roadway meters (feeder pillars within lamp posts). There is just one meter which is thought to be obsolete.

## 5. RMG Report (JaS)

Good evening and thank you for all for coming this evening. Most here will know me but for those that do not I am James Sturgeon from RMG. I am Head of New Business for RMG London and along with Mel Johnson, the Senior Property Manager, we are responsible along with John Shaw, The Estate Manager and Head Gardener, Robert Butler for the management of Holborough Lakes. RMG are the appointed managing agent by Berkeley Homes for the management company, Holborough Management Limited. RMG have been managing the development since 2006 and I have personally overseen the management since 2013. Our team are responsible for setting the annual budget, carrying out general maintenance, ensuring all health and safety matters are actioned, maintaining the grounds and organising the major redecorations to the leasehold properties.

RMG support and work alongside the on-site team to ensure the required level of service is delivered at Holborough Lakes. The remainder of the team are made up of Martin, Tony, Bobby and Jason. It is great that we are able to call upon the team to undertake minor maintenance works as well as their day to day gardening duties. As an example, Robert has just completed works to the front of house pillars which has saved a significant amount of money in calling out third party contractors. I would personally like to thank them all for their hard work come rain or shine.

RMG are looking to carry out redecoration works to Phase 3 apartments and FOGs next month. Phase 3 includes the Gym apartments and Creche apartments. The surveyor has tendered the specification and we have issued the statement of estimates. It is unfortunate that the lowest tender has come in much higher than we were expecting and we are now reviewing the specification as it is clear we do not have sufficient funds to carry out the full external and internal project. It is likely we will only carry out the internal redecorations of the apartment blocks and some elements of the external works to the FOGS. We will be writing to those affected residents in the coming weeks with more information.

**40/24 Action: Review cyclical works & inform residents (RMG)**

**JaS**

I am pleased to report that the 2023 year end accounts have now been finalised and a covering letter was issued at the end of last week detailing the content. This letter provided an update on the electricity situation. For those that may not have seen it yet I will now provide an overview of the electricity situation –

*I am pleased to confirm the electricity expenditure has subsequently reduced from £179,000 to £115,000. I accept that this is still an overspend against the budgeted amount of £54,000 and I will explain how we reduced the expenditure and why there is still an overall overspend.*

*The thorough investigation we undertook into all electricity invoices led us to unearth that the closing meter reads from SSE to Positive Energy when we switched provider in November 2022 were not accurately passed over between providers. The opening reads from Positive Energy were lower than the closing read billed by SSE which resulted in us being billed for units consumed by both providers.*

*We have therefore corrected the position in the accounts and raised a dispute with the Energy Providers and the regulatory authority on the matter.*

*We also identified that on some meters which had been re-billed from our submission of actual reads the credit had been issued to us based on a lower rate than what we were charged for the consumption of these units. We again lodged a complaint and have corrected the position within the accounts.*

*As many of you will re-call, the energy market went through an unprecedented increase in wholesale energy prices which caused significant and prolonged volatility in the energy retail market. The reason*

*there is still an overall overspend against budget is because when our electricity contracts expired in October 2022 the best rate we could secure at that time on a one year fixed deal was 79p per KWh. Whereas the previous contract was 35p per KWh. This is why the overall electricity expenditure is almost twice as much as the 2022 year end accounts. We fixed that contract for one year from the 1st November 2022 to the 30th October 2023. This was the best fixed deal we could get from the market in the peak of the energy crisis. The current contract we entered into on the 1st November 2023 to 30th October 2024 is at 29p per KWh.*

*Due to the challenges surrounding the electricity costs during the year, we have kept tight controls over the other expenditure items which can be seen by the majority of expenditure items being on or under budget.*

RMG work very closely with Berkeley Homes, Southern Housing Group and the HLRA and at each monthly meeting we submit a report to detail what we have achieved and carried out in the time since our last meeting. These minutes are posted online on RMG Living each month and also on the main noticeboards. RMG Living is also where we post announcements relating to works on the estate. If you are not signed up to RMG Living please access the link [rmgliving.london/register](http://rmgliving.london/register)

I would like to finish by thanking you all as always for your support and I look forward to working for you over the coming year.

## **5. SH Report**

Southern Housing has continued to maintain various tenure types in HL made up of: Leasehold, Shared Ownership, Intermediate Market Rent, Affordable Rent and Social Rent. Over the years, as always Holborough Lakes remains a very desirable place for our residents across the tenure. We continue to work with Tonbridge and Malling to fill any general needs void property.

Southern Housing(SH) has continued to have very high rate of successful access into property to services gas and electric when due.

There have been few challenges; Fly tipping into our bin stores and on SH land by both SH and non SH residents. This has huge financial implications as we must pay for the bulk items to be removed. Parking has continued to be a challenge. Items been left in communal areas which poses a fire risk in the blocks.

**4 Edwards Close Bin Store:** Quotes have been received for price for full total rebuild and another for the partial rebuild. Works to start once approved

**Optiplex:** Our in-house team are working to ensure that fibre optic is available to our residents. The Team is currently liaising with various providers to ensure competitive rates.

**Multi Agency Approach:** We have continued to liaise with partners such as the Police, Social Service, Local Authority, the HLRA and Community Safety Unit Partnership to ensure that HL is a safe community. We are very active in Marac (a multi-Agency meeting with other partners) to support any or our resident experiencing Domestic Abuse

Southern Housing is continuing to provide the best services for its residents and act in the best interest of its residents as a responsible landlord.

**Fire Risk Action:** There are also regular inspections to remove items from the communal hallway, under the stairs and electric cupboards.

**Contact:** Resident can contact the Group via the Service centre on 0300 303 1773, or webchat, portal and/or via email at [Service.Centre@shgroup.org.uk](mailto:Service.Centre@shgroup.org.uk).

Finally, June and I we would like to say thank you to Sarah Hands, members of the Committee and RMG. There has been great collaborative work



## **6. Questions From Residents**

### **1) Over-spend on electric budget (NH)**

NH sought assurances that steps were being taken to prevent a repeat of unacceptably high estate electric charges. JaS emphasised that this current situation was a result of an unprecedented situation in that the hand-over between two power companies had resulted in final/starting readings not correlating. He felt confident that RMG has subsequently developed their overall awareness of managing the electric invoices. He believed that with the introduction of smart meters providing more data to use for reliable predictions of spends this would limit/eradicate future errors. He committed to ensuring that the accounts team would check invoices against meter readings. RH informed the meeting that the Energy Ombudsman was involved in the complaint of mismanagement by the power companies as refunds are still to be obtained. He stressed that these anticipated refunds have been allowed for and passed onto residents within the 2023 accounts. Dawn Edwards expressed her incredulity at RMG not identifying the incompatible reading issue at the time of hand-over of power companies. She also vehemently challenged the rate of 77p per unit as being unacceptably high. JaS explained RMG's power broker, Full Power, went to open market and identified this contract as the best option for the estate. SJH requested that HLRA see future tenders. NH sought clarification on the broker's commission and JaS said this would be confirmed at the next renewal (Nov 24). John Curry sought clarification as to what electricity usage the residents pay for & whether there would be a reduction in costs when roads are adopted. RH explained that currently some streetlights are already the responsibility of KCC. JaS outlined that residents pay for the electricity used by bollard lights, and these will continue to be paid by residents, and they represent the bulk of the costs.

### **2) Speeding Vehicles**

Several residents expressed alarm at the speed vehicles enter the estate and drive around the roads causing danger to other road users and noise pollution to residents. The use of the A228 for street racing meetings was also raised. It was stressed that adopted roads are the responsibility of KCC and any installation of street furniture would be up to them to fund and install. Residents were encouraged to report all incidents to the police and KCC in order that a record of the incident was made even if police did not attend; in this way a picture could be built up of the seriousness of the situation.

**(Residents are reminded that there is a 20mph speed limit throughout the estate.)**

**41/24 Action: Research installation of flashing speed sign.**

**HLRA/RMG**

**4) Bonded Road Repairs- Primrose Close.** SHW sought clarification on this issue & emphasised the need to liaise with residents in advance as alternative parking/charging arrangements need to be implemented while the work takes place. RH explained that currently the works in Primrose Close are on hold pending the remediation of the works to the trim trail.

**5) Leasehold Insurance –** RH confirmed that, in accordance with new legislation, a letter will be sent to leaseholders when their building insurance is renewed disclosing brokers fees and commission.

### **6) Residents from 2 Walters Close raised the following concerns-**

1. Estate team emptying the contents of the communal estate bins into apartment bins.

The estate bins often contain unpleasant items including dog excrement which then contaminates the apartment bins. There is also the risk that if apartment bins become overflowing then additional costs will be levied on the apartment block residents to have their bins emptied. JaS explained that this practice was implemented to save all the estate residents the cost of paying the council to empty the estate communal rubbish bins. This was noted, but it was requested that the estate team ensure the apartment bins do not get over-filled and that the estate team occasionally power wash the apartment bins throughout the year. JaS committed to consider how best to manage the situation of the estate communal bins.  
**(Residents are requested to use communal rubbish bins with respect to other residents and the estate team and only place small general inoffensive items in these bins.)**

**42/24 Action: Review procedure for emptying communal bins including jet washing of bins & apartment bins. (RMG)**

**JaS**

2. Concern ref thefts from Walters Close reception area.

JaS agreed to investigate the installation/costs of a security camera & liaise with residents.

**43/24 Action: Investigate costs of internal CCTV. (RMG)**

**JaS**

3. Concerns ref the standard of cleaning of communal areas.  
JaS advised that any concerns should be raised with RMG.

#### 7) Water Pump LVC

Residents expressed concern that the overflow pipe is now expelling water almost continuously into the bin store. A resident who has a party wall to the bin store expressed severe concerns about the risk of damage to her property due to damp. MJ confirmed that the new contractor Duty Point will attend on Friday 13<sup>th</sup> September and it is hoped that they will be able to resolve the issue. If it is identified that the former contractor has been negligent then RMG will address this.

#### 8) Flood of Gym 08/08/24 Due to a Defective Tap.

Thanks were expressed by all present to the quick actions of residents Chris and Jordan in preventing further damage to the floor & equipment & to John Shaw for attending out of hours. JaS advised that at present no insurance claim had been made, but that it was being considered as further floor damage has come to light due to a faulty water fountain.

#### 13) Edwards Close

An enquiry was made of SH regarding the cleaning of Edwards Close balconies as it was felt the outside of some looked dirty and shabby. AO explained that such cleaning is part of the 7-year cyclical works program and that they were last cleaned in 2022 and would not be due for cleaning again until 2029. RH committed to discussing this issue further with SH.

Concerns were expressed regarding garden waste collecting near the Edwards Close door entrances and within the rills. RB agreed to address these issues. Questions were asked regarding the chemical content of the water in the rills; JaS agreed to confirm this.

**44/24 Action: Confirm chemical solution in rills. (RMG)**

**JaS**

#### 14) ASB –

1. Dave Curry sought clarification of the situation in relation to employing security guards. JaS explained that the budget allocation had been £25,000 but that only £3,500 had been spent thus far and now the hot weather was over there were no further plans to employ security. He agreed to consider employing security to patrol the estate on Halloween as there had been considerable ASB on that evening last year.

**46/24 Action: Consider security for estate on Halloween. (RMG)**

**JaS**

2. Residents asked if they were personally able to view the CCTV recorded by the estate cameras. Legal requirements prevent this from happening as if viewed by unauthorised/untrained persons the evidence can be challenged at any subsequent court proceedings as corrupted and cases can fail with charges being dismissed against offenders.
3. KB expressed concern over the constant damage to the palisade fence on the estate's southern boundary and provided photographic evidence. RH informed the meeting that the fence is regularly damaged and repaired but there were no plans to replace it. Discussion took place as to whether the wooded area between the fence and LVC is 'managed land' and therefore the residents' financial responsibility to maintain. Committee members expressed their strong belief, backed by legal documents, that this land is not 'managed land' and therefore financial responsibility for addressing issues in relation to this area, including ASB, are the responsibility of BH. RH agreed to provide a definitive answer to the legal question of whether this area is 'managed land'.

**45/24 Action: Confirm legal position of wooded area. (BH)**

**RH**

#### 15) Litter Picking

Residents from Booth Close expressed concern at the amount of litter around their road. RB explained that two new members of staff have recently joined the estate team, and he is in the process of training them in their duties. He was hopeful that once fully trained an improvement in the standard of the litter picking service would be seen.

Meeting Closed 8.53pm