



Leybourne Park Residents Association

Committee Meeting 20th June 2018

Notes of meeting

Present: Ray Haffenden, Sharon Newbury, Liz Simpson, Trudy Dean (County and Borough Councillor) and Warren Dann (Omnicroft Ltd) for part of meeting.

Apologies: Nicky Percival, Rupert Keppel Palmer, Lewis Pound Howard, Mickey Morris, David Thornevell (East Malling and Larkfield Parish Council).

- Ray gave brief update of activities etc for benefit of Trudy Dean:
 - Summer Fun Day
 - Halloween event
 - Christmas event
 - We have at last had formal recognition of our status as Residents Association from First Port and E&M.
 - Update on removal of pinch points and bollards. This work should start within the next couple of weeks. Pinch points would be removed first and pavements dropped. Bollards would be removed after new yellow lines had been painted.
 - One successful litter pick with another planned for the 14th of July.
 - E&M have sent out a customer satisfaction survey but this has only gone to leaseholders which he has challenged as freeholders have to pay service charge as well.
 - Has found a contractor prepared to bid for Section 20 decorating works but was out of time. Is optimistic that due to previous issues and fact it was only just out of time that First Port will allow the contractor to be considered.

- Ray and Liz have had meeting with Georgia Roberts and new Area Manager which was very positive and resulted in pinch point works to be progressed.
- Warren Dann of Omnicroft joined the meeting. He is owner of a company which offers management company services. He has examined our accounts and attended meeting to lay out the options we have of removing First Point as Managing Agents and appointing new agents. The news made pretty grim listening:
 - The fact that we have been recognised as a Residents Association is in fact only an acknowledgement and we still have no powers to act.
 - The Landlord and Tenant Act is very complicated, and it is virtually impossible for a RA to get rid of a Management Company without the agreement of the Freeholder.
 - One option would be a class action where we would have to prove negligence on the part of First Port. However, that is hugely expensive and with a very uncertain outcome.
 - Another option is to go to a First Tier Tribunal to challenge the costs of individual leases. However, again this can be costly and would be at the whim of the Chair of the Tribunal so outcome again very uncertain.
 - The Right to Manage option would require the agreement of 51% of leaseholders, each of whom would need to pay around £130 each towards the costs. Interestingly each leaseholder counts as one – so Hyde Housing and Golding Homes would each have one vote each.
 - He said that the Management Fees alone that each leasehold property pays averages out to £ 233.42 per property which he thinks is excessive.
 - Part of the reason for the costs being so high is that we are charged VAT on everything – but if we were able to engage smaller, more local contractors who were not registered for VAT there would be an immediate saving.
 - He suggested two actions that we could take:
 - Ask to register as a Residents Association with the Local Authority (he was not entirely sure whether this option still existed and there seemed to be little benefit in doing so – but I will approach the Housing Department at TMBC to find out.

- To write to E&M and say that we are not happy with the way that First Port are carrying out their management responsibilities and asking for autonomy to be able to appoint the managing agents ourselves. I think he thinks it is unlikely that they would agree but clearly worth the effort. Particularly if the responses from the recent Customer Satisfaction Survey are critical of First Port. He agreed to help draft such a letter.
- Fun Day: The arrangements for the fun day were discussed briefly:
 - The news that Fire Brigade were not available was disappointing and may have a negative impact on our insurance. Liz will contact insurance company to find out.
 - We have been given vouchers by First Port to be used as raffle prizes and some shop vouchers by Hyde Housing which Sharon will use to be Tombola or raffle prizes.
 - The Chinese Restaurant in Martin Square has given two x £20 vouchers,
 - Liz has donated a brand new purse and a bracelet as raffle prizes
 - Morrisons have promised a voucher.
 - Liz has organised a burger van
 - Obviously need to get more helpers on the day as well as making sure that those who have offered to run stalls are still available.