

31st January 2023

Mike O'Driscoll (leaseholder, Warwick Building) to the supposed CBWRA 'co chairs'

Dear Ms Larissa Villar Hauser and Mr Louis Sebastian Kendall

Thanks you so much for your email of 27th January. I copy this below with
my replies in purple below.

CBWRA

Sat, 27
Jan,
10:49)

Subject: Formal Request for Post Redaction and Cease of Misinformation

Dear Mr. Michael O'Driscoll

Without prejudice. This communication serves as a formal record and is not intended to initiate further discourse on the matter at hand.

With respect, I am not that interested in whether you wish to enter into 'discourse'. If you contact me, I will decide whether I reply or not, and when and how. It is incredibly arrogant to think that you can make unilateral demands of me or any other leaseholder and imply that they should just do what you demand without discussion. It is also very rude of you to contact me and make demands in this way when you have not even acknowledged my letter of complaint about the conduct of the 2023 chair elections and many related matters which I sent to you on 15th January¹.

We kindly request that you promptly redact your public post (<https://chelseabridgwharf.org.uk/2024/01/24/50-of-leaseholders-have-signed-up-for-right-to-manage-at-chelsea-bridge-wharf-but-cbwra-still-acting-like-a-banana-republic/>) concerning the Right to Manage (RTM) claim and its financial matters. The joint chairs, Larisa and Louis, along with the committee and residents, alongside Urang, have been diligently working toward the RTM, and your public statements are, regrettably, counterproductive to our shared objectives and residents' best interests.

It is imperative to emphasize that the details you have disclosed publicly are not only inaccurate but also misleading, posing a significant risk to the RTM strategy we are collectively pursuing. As communicated previously, progress updates are intentionally withheld to safeguard our position from the freeholders. The premature disclosure of inaccurate information jeopardizes this crucial aspect of our approach.

¹ <https://cbwra.files.wordpress.com/2024/01/x-mod-reply-to-cbwra-15.1.24.pdf>

Contrary to the assumptions presented in your post, we are still in the process of collecting signatures, with a notable number yet to be obtained before we can submit a claim notice.

Moreover, your reference to the financial aspects of the Residents' Association (RA) is misguided. Your understanding of the financial position of the RTM company is inaccurate and incomplete. To maintain accuracy and avoid unnecessary complications, it is essential that discussions around financial matters are grounded in factual information.

Firstly, with regard to the information on signatures collected: In September 2023 the number needed was 180 as evidenced in the letter sent to owners on the Garton-Jones list at that time. I have seen a list of those signed up for RTM which was distributed by Urang around 10.1.24. which indicated that there was only a relatively modest number of signatures needed and that was 7 weeks ago approximately. Even allowing for Xmas and New Year I find it hard to believe that there is anything but a handful left to collect at most. Your committee meeting notes (21.1.24) states that 'We have reached the point of gathering the final tranche of signatures' .

I did also receive information from someone who I cannot name that the 50% had been achieved and my article states 'according to information I have received'.

You state that 'As communicated previously, progress updates are intentionally withheld to safeguard our position from the freeholders'. You have never made any such communication to me and I do not believe that you 'withhold progress updates' for this reason. In my view it is much more to do with being unwilling to commit to any timelines so that you cannot be criticised for missing them. It also avoids the need for any basic project management which in my view you do not understand on even the most basic level.

You have not explained why secrecy in this matter gives any advantage to CBWRA in relation to freeholders. They are all aware that an RTM process is happening and BH have said and implied at various times) that they support the application. Also once the freeholder receives the RTM notice the law allows them a considerable period in which to consider their response. So what advantage does it give CBWRA to keep the number of signatories private/secret? I do not believe it does give any such advantage and I think this is simply an excuse for not giving residents timelines for when the RTM process is likely to start or complete so that you cannot be held to account if such timelines/targets are missed. This same approach has been used in relation to your 'management' of the ponds and fountains refurbishment.

Lastly, we believe it is important to address the misconception about your contribution to the RTM efforts. While we appreciate your interest, the assertion that your efforts have been impactful is, unfortunately, not aligned with the reality of the situation. Redirecting your energy towards securing funding or obtaining signatures would be a more constructive approach than impeding the process and generating additional challenges.

This is highly amusing, patronising and super delusional on your part. **I have been campaigning for Right to Manage since at least 2020, long before either of you were even on the RA (which I helped to reactivate without any help from either of you) and long before either of you were involved in any way with efforts to find a new managing agent. I have held numerous meetings with CBW residents and leafletted the whole development many times over in favour of RTM, entirely at my own time and expense. I have had countless one to one and group meetings with residents to explain and promote RTM to them. Indeed I first met Larissa when she attended one such meeting that I held in December 2020.**

Before late 2022, CBWRA committee and especially Mr Garton Jones and Stephen Thompson considered it heresy to say that RTM was possible and anyone arguing for it on the committee or off (especially me) was shut down. This is audio and video recorded (with transcriptions) in the records of the 2021 committee meetings. When you did join the committee, neither of you had the courage, as I did, to stand up to the former Chair who was so set against RTM and who kept telling residents that Rendall and Rittner were improving, and that we needed to have a collegiate relationship with them and give them more time etc. You still do not have the courage to stand up to him despite his outrageous behaviour towards residents online and offline, which have resulted in 4 complaints to the Police and he remains on the CBWRA committee and a Director of the RTM company.

You lack the decency, integrity and humility to admit your mistakes or apologise for them or to acknowledge the work I and others have done over many years to lay the ground for RTM, despite the many obstacles which CBWRA , have put in the way.

Both of you have been part of those CBWRA obstacles to Right to Manage and you are at least partly responsible for RTM not having been started years ago. You were part of a committee that told residents over a two year period that Right to Manage was not possible.

You were part of a committee that issued a newsletter stating that I was a liar for saying that Right to Manage was possible and you wasted a large sum of residents' money on a doomed 'management contract retendering'. You were part of a committee that closed my CBW app account for arguing that Right to Manage was possible and you called this 'misinformation'.

Despite having my CBW app account closed on a pretext in May 2022, simply because I pointed out your misinformation to residents and that the management contract retendering was utterly pointless and a waste of time and money, and despite the fact that CBWRA committee (of which you were members) circulated a newsletter stating that I was misleading residents for stating that RTM was possible, I continued to campaign for RTM which you were saying (up until the end of 2022) was not possible. I obtained independent advice from Canonbury Estate Management and other experts which proved that CBWRA's claims that RTM was not possible were complete nonsense. In October 2022, and following my publication of this advice and constant pressure for RTM including meetings which I held with residents, Larisa met with Canonbury (as discussed at the CBWRA December 2022 committee meeting) and confirmed that everything I had been saying about RTM

was correct and the suddenly started supporting RTM. But such is your sense of entitlement there was no apology to me or residents for the wasted time and money and no apology for closing my CBW app account or for the false claims in the CBWRA newsletter.

I also introduced Urang to you after the 2023 Chair elections and all you have done is basically to let Urang get on with it and as you said yourselves at the Leaseholder Forum meeting in October ‘it’s out of our hands’.

I respect the fact that you have put in some time on preparing for the current RTM application but you do have tendency to make what I feel are fairly exaggerate claims about how much time you put in which no one can check in any case. I think Urang are doing the bulk of the work, not you or the committee, and most of your ‘work’ is basically liaising with them.

So yes I think I can safely say I have had a big impact in making RTM happen at CBW and that even after being forced off the committee and even after having my CBW app account was still able to put enough pressure on you to force you to start supporting RTM. You knew that had you gone into the 2023 Chair elections opposing RTM you might not win, despite all your manipulations of the election. You were in short, dragged kicking and screaming to RTM by me and other residents.

My commitment to RTM means that I am more than happy to help in the work of gaining further signatures for RTM (which you referred to) – feel free to contact me to discuss further.

With regard to CBWRA finances – the information I published was based on accounts filed at companies house and the information which you yourselves circulated in September and I cited and linked to, the sources. This information suggests that CBWRA has gone from having around 27K two years ago to 5K now. So the information I have published is based entirely on data which CBWRA has published or circulated. You have said it is incorrect or incomplete but are unable to say how or to offer any evidence or accounts to establish what you believe to be a valid summary of CBWRA’s finances. Your own notes from the committee meeting of 2.1.24 state that the CBW app is ‘unsustainable’. The CBW app costs £5k a year based on your own information so if it is unsustainable then that suggests CBWRA does not have £5k a year available. So there is no misinformation in my post.

I note that you have refused to consult with residents about the closure of the CBW app, just as you have failed to consult meaningfully on any major decisions since your election and it seems very likely that is how it will continue as long as you are Chairs.

Maybe you could behave like a normal residents’ association and publish proper and full accounts, detailing your income and expenditure and then there can be no doubt about the current financial position of CBWRA.

In light of the above, we wish to reiterate that we will not be sharing further information with you and will refrain from engaging in any additional communication

on this matter. We trust that you understand the importance of accuracy and discretion in our collective pursuit of the RTM.

You are not sharing any meaningful information with me or any other residents currently so I doubt I will notice the difference. Any information which you do share to residents will be copied to me in any case so this is meaningless. It is also highly amusing that you speak of accuracy – there is a very long list of the misinformation (and that is putting it politely) which CBWRA have given to residents. [Here is a link to some examples, for your convenience.](#)

In summary

You have not produced any evidence of ‘misinformation’ on my blog post – you have simply claimed that some things I have said are untrue without providing any evidence to support those claims. Specifically, you seem unhappy that I have said that 50% of leaseholder have signed up for RTM but there is very good evidence that this is the case or very close and are unwilling to say what the actual number signed up is. You have claimed that my assessment of CBWRA finances is wrong but this assessment is simply a summary of the information that you yourselves have produced and again you are unwilling to say what the supposed correct position is.

‘Misinformation’ is in fact a CBWRA catch all term for things that you do not agree with, or any legitimate criticism of CBWRA which you are not able to deal with and you have used it before to close my CBW app on a false pretext as I have mentioned. In fact it was the CBWRA committee, including yourselves who were misinforming residents that Right to Manage was not possible. You are now trying to rehash these feeble claims of ‘misinformation’ as a pretext for closing my RA membership. Shame on you.

Residents are entitled to information about the progress of Right to Manage, and how their subscription fees are spent by CBWRA. You are not providing them with that information in a meaningful way so I have done so. It is very much in the public interest and none of this information I have published is private or personal data.

I will not be deleting any posts therefore but I am happy to give you the right of reply on my blog and to add the email you have sent me about this so that your point of view is represented. This is a greater courtesy than you have shown me in relation to the CBW app where you closed my account on false claims of misinformation and where my character has been regularly assassinated in a cowardly way by the former chair and other committee members. That is how you got elected and you are still terrified of an election even having closed my CBW app account and have therefore decided to extend your term as chair by at least 4 months beyond your elected term which is a massive violation of the most important item in the constitution. These games have been played by Thompson as far back as 2021 and it is pitiful that you need to rely on these abuses to stay in power. Why are you so afraid of a fair election?

I note also that you have simply ignored the wishes of residents, as expressed in a resolution passed at the SGM in September, which required the production of a

written protocol for the closure of CBW app accounts, so that you are able to continue arbitrary account closure and now the closure of the entire platform. You also allow rampant and outrageous pro-committee online bullying on the CBW app, which I have documented, which has resulted in people being too scared to say what they think on the app or to simply stop using it, which of course is not an unwelcome outcome from your point of view.

If you think you have some legal basis on which to demand the removal of anything which I have published do let me know and I shall pass it to my solicitor for his consideration and get back to you.

I have no doubt at all that the cause you put into the constitution in September 2023 which basically allows you to revoke the RA membership of any resident if you arbitrarily decide, without any due process or right of appeal, that they are “behaving in ways which are not consistent with the aims and objectives of the RA” was largely aimed at me and it was simply a matter of time before this was used to try and silence legitimate criticism. Arbitrary closure of RA membership, and arbitrary closure of CWB app accounts. That is the sad tyrannical way in which you behave because you are seemingly incapable of behaving like a normal function democratic residents association. Rather than drawing a line under the dysfunctional way of doing things which the former Chair established in my view, you have doubled down on it. Perhaps you have seen the advantages it offers (power grabs, avoiding the need for scrutiny, avoiding fair elections, silencing critics) but you have failed to see the price we all have to pay for that and how ultimately it is a self-defeating approach.

The future of this development under your 'leadership', if you stay on the current track, does not look promising. RTM is important but the whole point of it is to empower residents, to give them greater control over how their money is spent. What CBWRA does as a matter of course is to shut down channels of discussion and consultation with residents so that they have no meaningful input. Those who criticise the committee or even ask basic questions are relentlessly bullied on the CBW app or have their app account closed. You also deny residents fair elections for Chair and you have stated that there will be no election for Directors because 'It would be too difficult to organise a quorate meeting). What we are looking at therefore, even if RTM is achieved is all of the key decisions being taken in a closed room by 4 or 5 unelected directors of the RTM company no doubt including a seat at the table for Garton-Jones.

I can say with some confidence that I have made all the right calls, usually years ahead (literally) of the CBWRA committee. I was correct that RTM could have been started in 2020, I was correct in calling out the unacceptable behaviour of the former chair, I was correct in stating that the management contract retendering would not work and was pursued in my view, either out of incompetence or a desire to delay RTM to give Rendall and Rittner 'more time to improve'. I think I will be proved right before too long about the effects of the dysfunctional governance which you persist with (including the refusal to hold fair elections) and that this will not lead to good outcomes for this development.

Despite all of the above I am more than happy to assist the RTM process in any way including door knocking/ gaining signatures. I have already offered to assist in raising funds for CBWRA through finding advertisers for the CBW app but you ignored this offer. **After all, Garton-Jones are only willing to assist RTM if no other estate agent is allowed to advertise on the app, or so the CBWRA Treasurer has stated.**

It would be good to end this conflict or whatever we may choose to call, which is not of my making. However, the arbitrary closure of my CBW app account and your unwillingness to hold fair elections and your high-handed demands about removing material from my blog make that a little difficult. If either of you develop enough maturity to recognise the wrongs which have been done by CBWRA to me and many other leaseholders in terms of bullying and character assassination then I will be happy, in the interest of residents, to meet with you and try and reach an understanding/resolution. You should understand that your own attempts to silence me have in fact simply resulted in discussions which could have happened in the relative privacy of the app, or at meetings (if there were any genuine meetings with residents), being held in public.

Closing my app account has not silenced me and neither will revoking my RA membership. Also, I am not sure you can afford to lose my £20 membership fee can you? :). I suggest you try to accept that differing views are a healthy part of any normal functioning organisation and that we all benefit from scrutiny and accountability. Your refusal to accept those principles which should be taken for granted, is the basic of the vast majority of conflict at Chelsea Bridge Wharf.

Please could you or your Secretary (Katherine Greenaway) acknowledge the letter which I sent you on 15.1.23 and let me know when I can expect a meaningful response.

Best Wishes
Mike O'Driscoll