

2024 Chelsea Bridge Wharf Chair Elections - Meeting of Chair Candidates and residents

6th April 2024, Scott House BPS. Summary notes¹

1. Some Key points from the meeting:

- Only 130 leaseholders are members of the RA and CBWRA have changed the constitution so that only they can vote in the Chair elections. This means that 88% of leaseholders cannot vote in the Chair elections.
- MOD drew attention to the need to think about what would happen after RTM in terms of power passing almost entirely to the Right to Manage company, with unelected directors and a culture which seems hostile to consultation, resident involvement and appropriate checks and balances.
- Residents questioned the lack of elections for Directors of the CBW Right to Manage Company
- Residents drew attention to a lack of consultation and engagement from CBWRA which is reflected in these astonishingly low membership numbers.
- Residents drew attention to the lack of freedom of speech on the CBW app and the likelihood of being attacked online if one asks even the simplest question of the committee. This means that meaningful discussion is impossible on the CBW app.
- MOD drew attention to the arbitrary closure of his CBW app account as an act of political censorship and that CBWRA were unable to produce any meaningful justification for having done this or for refusing to re-open it.
- MOD suggested many ways in which consultation and engagement with residents could be improved and offered to help with this but this offer was declined.

2. Meeting notes

About 8 residents attended as well as the candidates (Mike O'Driscoll MOD, and Larisa Villar Hauser/Louis Sebastian Kendall - LVH and LSK) and three other committee members (Catherine Thome, Catherine Greenaway and Toby Spoerer).

Instead of a 'normal' format where candidates make a short presentation and are then asked questions by residents, the Co-chairs wanted each candidate to be in a separate room with residents then separately 'mingling' with each candidate. MOD expressed my view that this seemed a bit ridiculous and that there should be a debate between the candidates. MOD suggested that if the committee did not agree on that then there should have a vote on the format of the meeting, which was refused.

Committee members and the co-Chairs said that residents had been sent the candidates' manifesto and video and said several times 'why do we need to have a debate?!'. Eventually the co-Chairs most generously agreed to have one meeting in one room with the traditional format (candidates make a short presentation and are asked questions and enter into a discussion/debate with each other as well as the residents).

¹ A resident made a recording of the meeting and that has been used to compile these notes but this is not a transcript of the meeting -rather a summary of some of the key points and exchanges. CBWRA did not make the meeting available via zoom and it is not clear if they even intend to produce notes (they recorded the 2023 chair candidates meeting but claimed to have lost the recording and no notes were ever circulated to residents). The recording will not be published unless every attendee agreed in writing as required by GDPR – nor is there any intention to publish it. Notes are compiled under time pressure so please excuse any typos there may be.

2.1 Mike O'Driscoll presentation

MOD thanks residents for attending and described some key points from manifesto, including the need for directors of the RTM company to be elected and the need for much greater resident consultation and involvement in decision-making.

- That he was glad that RTM was happening and acknowledged work of Urang and committee but also the work of others had been working for RTM for many years prior (when the current and former chairs had been claiming that RTM was not possible)
- Stressed the importance of thinking about what happens after Right to Manage, because what now the Residents' Association will in effect be replaced by the Right to Manage company which will have a significant amount of power and control over a large service charge budget (£5 million per year approx.).
- Therefore it was important that the RTM company is democratically accountable. And that is why he was suggesting that the directors of the Right to Manage company should be elected rather than at the moment just being appointed/recruited by each other very informally which could be seen as cronyism
- It was important that if residents were not happy with Directors' performance or conduct they should be able to vote them out or to vote a new Director in.
- Important to set Urang a target for service charge reduction – 15% suggested
- Lack of resident consultation: MOD highlighted that he could not think of any meaningful consultation recently apart from on the Ponds and Fountains, which didn't include the option a lot of people would have liked (to fill them in). And before that, the last consultation he could remember was the annual resident surveys which he had carried out while on the CBWRA committee in 2021.
- MOD stressed importance of, consultation, democratic accountability, having a debate now and again, and not trying to close down any sort of hint of discussion on the CBW app or to close people's app accounts without any process. MOD stated that consultation, discussion and fair elections are necessary to build a solid basis for residents to go forward as a community.

2.2 Larisa Villar Hauser/ Louis Sebastian Kendall presentation

Noted the key achievement of signing up 50% of leaseholders for Right to Manage ² Noted the objections from freeholders, and responses and stated that freeholders now have two months to accept RTM claim or not³.

LVH / LSK noted that committee have tried to maintain a working relationship both with managing agent, freeholders, and also with external parties, such as Garton Jones, who have been really supportive of the RTM process and also supported us with funding of the app⁴.

LVH / LSK stated that there had been a lot of cost-saving measures⁵, such as the fountain pumps, which resulted in significant cost-saving for energy costs, and scrutinised and challenged each building service

² In fact a considerable percentage were already signed up in 2012 and have simply been included again in the current application, if they are still leaseholders.

³ There were some other comments about what CBWRA might do if the RTM claim was not accepted which I have omitted as it is information which might be of use to freeholders

⁴ Garton-Jones did not support RTM before late 2022 to the best of my knowledge and even then stated they would only support the RTM process if CBWRA did not allow any other estate agents to advertise on the CBW app (according to the CBWRA treasurer at May 2023 meeting).

⁵ I am not clear what 'lots of cost saving measures' refers to, apart from the pumps

charge⁶, including the new Building Safety Act costs, and asked for further information and clarity on how those have been calculated,

LVH / LSK stated they committee made broad comparisons across other developments re the Building Safety Act (BSA) costs and that the CBW costs are lower than for some other developments. Stated that it was better that Rendall and Rittner charge a higher amount than to chare too little and have to come back for more later. Noted that it is not possible for Rendall and Rittner to male 'cash calls' on residents because it is not allowed in the lease⁷.

LVH / LSK stated they had challenged 'utility rates' which were now in line with market rates⁸.

LVH / LSK noted refurbishment of certain blocks such as Lanson and Hawker and that committee had been 'aggressively involved'. In the choice of carpet and carpet colour.

LVH / LSK noted the importance of challenging service charge levels but also the need to build up reserves for future work such as lift replacement in Warwick.

3. Questions from residents and responses from candidates

3.1 Why Chairs wish to continue in post

A resident asked LVH and LSK why they wanted to continue in the post given the amount of work which might be involved.

LSK replied that there are aspects of it that are extremely fulfilling and other aspects that are quite toxic⁹. Wants to continue, to complete the RTM process. LSK suggested that RTM could be "derailed" if there was a change of Chair and MOD laughed at this point.

The Chair of the meeting (CT) asked MOD not to laugh – he replied that he did not need permission to laugh.

3.2 Bullying on CBW app and closure of accounts

A resident noted that sometimes then can ask a very innocent question on the app and get an unnecessary and violent reaction from certain people on the app and being rapidly closed down if there is any question / criticism of the committee. This resident had ceased to use the CBW app as a result.

MOD stated that this sort of behaviour on the CBW app, which seems to be systematic, was clearly bullying in his view and should be called out as such.

⁶ No information on this has been given to residents as far as I am aware. Rendall and Rittner projected BSA costs at CBW (400K approx. in year 1) are far higher than other developments – many times higher than at VISTA for example.

⁷ Such a cash call is precisely what Louis agreed with R and R several years ago before it was pointed out by MOD that this was not possible under the lease. <https://chelseabridgeward.org.uk/2022/01/14/large-service-charge-increases-on-the-way-at-chelsea-bridge-wharf/>

LSK failed to mention that BALANCING CHARGES can be applied at the end of the accounting year, if the service charge has been set too low (i.e. expenditure exceeds budget) and so there is no need to accept budgets which are high / over-estimated and this is not a good thing.

⁸ LSK claimed in October 2023 that he / CBWRA had obtained an electricity deal outside of the bulk retendering process. In fact it seems this tendering (for Warwick) was done by L&Q and it is not clear what role if any CBWRA had in this.

⁹ MOD would agree that there is toxicity around the Chairs – toxicity from them to be more precise. E.g. In making it impossible to have a free discussion on the CBW app, allowing online bullying, failing to consult with residents, failing to hold fair elections, banning potential opponents from the CBW app and not being honest about the reasons for doing that. One might also mention failing to deal with committee members who have been the subject of multiple police complaints or have engaged in online bullying and another who (allegedly) posts antisemitic tweets. That is some genuine toxicity. Trying to smear other Chair candidates is also very toxic behaviour.

LVH stated that her feedback from residents was they did not want discussion on the CBW app or criticism of the community but just to be a 'community space'.

MOD stated that LVH's comments about why people disengage from the CBW app were disingenuous i.e. people are not disengaging from the app because there is sometimes a debate or a criticism of the committee but rather they are disengaged because there is nothing of interest on the app and whenever someone tries to have a discussion they get leapt on and closed down.

A resident noted that it was important for users of the CBW app not be 'keyboard warriors' and to think about the tone of their posts.

MOD stated it was quite possible to strike a balance on the app which allows freedom of speech within the rules (as with Facebook) and personal attacks and bullying should not be ignored or allowed or encouraged by the CBWRA committee.

LVH asked if MOD was saying committee should moderate the app and he replied that they should – but only to ensure freedom of speech and to prevent bullying.

MOD stated there should be a proper and transparent process for dealing with any issues on the app – i.e. a clear system of rules and of people are deemed to have broken them they get presented with the evidence and given a warning and then a second warning and their account closed if they persist. **MOD noted that none of this had happened with regard to the closure of his account in May 2022 – it was closed arbitrarily without any procedure. It was closed was due to his advocating Right to Manage at a time when the current and former chairs were stating it was impossible¹⁰. LK and LVH have never explained or apologised to residents for this misinformation to residents.**

MOD asked LVH / LSK why the motion which he had passed at the SGM in September 2023, which required a written process for the closure of CBW app accounts, and which had strong resident support, had not been carried out.

LVH/LSK replied that it had not been done because they had thought the CBW app would be closed due to lack of funds. They said they were working on it but did not give any details of who is doing it or any timeframe to address this motion which was passed more than 6 months ago. Up until this meeting they had not given any explanation to residents about why this motion had not been addressed.

LSK stated that MOD's was the only account to be closed but MOD notes that there were 4 or 5 others he could name.

LSK/LVH stated that MOD's CBW app account could not be discussed because of legal advice they had received some time ago but MOD noted that CBWRA had i) not been able to produce a copy of this

¹⁰ [Screenshot of email from CBWRA re my CBW app account closure. The email closing my account had a letter attached from Roger Southam, stating that 'Right to Manage \(RTM\) is now not a feasible option for Chelsea Bridge Wharf'. i.e CBWRA were saying that RTM was not possible at CBW and this letter from Roger Southam was the supposed proof. CBWRA claimed that for me to insist that Right to Manage WAS possible was 'misinformation' and this supposedly justified the permanent closure my CBW app account. No information or evidence was supplied regarding the supposed 'repeated breaches of the community guidelines'. At the same time, the CBWRA committee, which included Larisa Villar Hauser and Louis Sebastian Kendall. sent a newsletter to residents stating that RTM was NOT possible and that I was misleading residents for saying that it was possible. <https://cbwra.files.wordpress.com/2022/05/cbwra-newsletter-23.5.22.pdf> . I obtained independent advice in June 2022 from Canonbury estate management that showed that CBWRA's position was completely wrong and that RTM was indeed possible. By the end of 2022 CBWRA were magically in agreement that RTM was possible after all 😊 . In short, it is clear that my CBW app account was not really closed for anything to do with 'misinformation' but rather for stating the truth and showing residents that CBWRA were wrong](#)

supposed legal advice and ii) they could not specifically say what it related to. MOD noted that there is no legal action of any kind between himself and CBWRA¹¹ and that they were well aware of that¹².

A resident stated that while they do not tend to read long posts themselves they thought that MOD should be allowed to write what he wanted on the CBW app provided it was not breaking any rules.

3.3 Number of CBWRA members and electoral procedure

A resident asked how many paid up members CBWRA has and was told that it was 130 (out of around 1,150 apartments). Many people at the meeting were surprised that it was so low and concerned that CBWRA committee had changed the constitution¹³ so that only these 130 paid up members could vote (unlike previous elections). One resident said that this number was not sufficient.

MOD stated that this was a shocking indictment of CBWRA's inability to engage with residents over a long period of time. He stated that in restricting voting in the elections to 130 paid up members, CBWRA had basically trashed any legitimacy which it might have.

MOD stated *"You know, if you've now only got 130 people allowed to vote, I mean, frankly, whoever wins this election, you know, it's not going to have much legitimacy. Because, even if you've got all of the votes, that's 130 people" (Just 11.3% of leaseholders).*

3.4 Lack of Consultation with residents

A resident asked MOD, in view of the lack of consultation which he had highlighted, what would he have done differently if he had been Chair. MOD mentioned that there were many options which were low cost but would generate engagement with residents and provide useful information to base policies and decisions on.

MOD suggested that the CBW Annual Resident Survey which he had designed and carried out in 2021 could be re-run and also that there should be events to inform people about RTM – what it means, how it works, what will life be like after RTM. Occasional online focus groups would also be useful on particular issues. MOD noted that such consultation does not cost very much to do. MOD noted that CBWRA's culture of not consulting residents originated, in his view, with Stephen Thompson and Charlie Garton-Jones who MOD felt viewed consultation as a joke, and this culture was being carried on by the current Chairs and committee, in his view.

MOD offered to help the committee with consultation, resident engagement and research (as he has worked professionally in these fields for many years) if they wished but this offer was declined by LVH because MOD is critical of CBWRA on his blog (chelseabridgewharf.org.uk)¹⁴.

LSK stated that consultation was of limited use because BH were not taking any notice especially as CBWRA were not recognised by BH.

¹¹ This claim that there is some legal reason why the closure of MOD's CBW app account cannot be discussed is of course nonsense – a pretext to justify an act of political censorship.

¹³ At the time the constitution was changed (Sep 23) Larisa Villar Hauser and Louis Sebastian Kendall told residents that there were only minor changes proposed and residents were only given 11 days to look at this huge document before being asked to 'ratify' it at the Special General Meeting. [In fact the constitution contained many significant changes](#) all of which relate to removing checks and balances on the power of the CBWRA chairs and committee. Just 144 people voted for the new constitution and most of them had voted by proxy ahead of the meeting and in my view it is unlikely that many of them had read the proposed new constitution.

¹⁴ Indeed I am critical of CBWRA - and with very good reason. Everything on my blog is well evidenced and the CBWRA committee are unable to identify anything which is factually inaccurate (I have invited them to do that several times). As ever they are unable to deal with scrutiny, criticism or debate.

LSK claimed that MOD had tried to get CBWRA derecognised by Berkeley Homes in early 2023 and MOD asked LSK not to repeat this lie which was clearly intended as a smear, which CBWRA committee members had repeated multiple times on the CBW app during the 2023 chair elections . MOD stated that BH had told him in an email that BH had derecognised CBWRA simply because they could not prove that they had 50% of qualifying tenants (leaseholders) as members. An extract from this email is given in footnote¹⁵. MOD said to LSK “It's been a good discussion up to now. Let's not play dirty games”.

MOD pointed out that consultation was useful even if CBWRA has limited power because it builds up evidence to inform future policies/expenditure and consultation also increases engagement¹⁶.

3.5 Lack of Elections for Directors of the Chelsea Bridge Wharf Right to Manage Company

A resident asked why there are no elections for the post of Directors of the Chelsea Bridge Wharf Right to Manage Company, the body which will have almost full control of a £5 million annual service charge budget, after Right to Manage goes through¹⁷.

LKS/LVH said that they had not received any requests to be a director but MOD and other residents pointed out that this was because CBWRA had made no effort to encourage interest or applications.

A resident noted that CBWRA comes across as a closed organisation and residents feel excluded.

LVH stated that there was a need for stability in keeping the same directors

MOD stated that this was reminiscent of the language used by leaders of banana republics i.e. we cannot have elections because it threaten stability. He said that stability is important but it does not top the need for democracy and in any case it was unlikely that elections for directors would result in all directors being replaced. One or two changing in a year would be the most that was likely but in any case that should be up to residents.

LSK stated that if 25% of members of the RTM company want someone to become a director, and that person can become a director¹⁸.

A committee member stated (to MOD) “I think your point is fair, that once we have RTM, then we need to look closely at who the directors are and how we take it forward. But I don't think that's on today's agenda”.

****meeting ended*****

¹⁵ Simon Challen (BH) email to MOD on 2.3.23 “Yesterday we gave 6 months’ notice the CBW RA of the withdrawal of our voluntary recognition on the basis that no updated membership list has been provided to Berkeley to verify that the CBWRA meet our threshold of 50% of qualifying tenants as members”

Given what we now know about the pathetically low numbers of members which CBWRA has (130) it is not surprising that BH would withdraw recognition, quite apart from any other concerns which BH may have about CBWRA. BH have also stated sometime after that (in emails to CBWRA) that CBWRA had broken another rule in relation to recognition (they did not say what) and that they had concerns about the conduct of one CBWRA committee member. CBWRA change the constitution in Sep 2023 so that residents no longer have the right to see correspondence between CBWRA and the freeholders or managing agent.

¹⁶ One can also consult about things which CBWRA does have power over – e.g. the uses and abuses of the CBW app , community how to elect Directors etc.

¹⁷ The current directors of the RTM company are Stephen Thompson, Larisa Villar Hauser, Louis Sebastian Kendall, Toby Spoerer and Katherine Greenaway. None have been elected as directors

¹⁸ In reality it would be virtually impossible for a leaseholder to become a director through this route, as they would not even have the means to contact RTM company members directly to campaign for their support.