

MOTIONS FOR CBWRA AGM 2024

Motion put forward by Mike O'Driscoll and seconded by Ceci Guicciardi Joannou	Mike O'Driscoll notes	CBWRA notes	Mike O'Driscoll reply
<p>CBWRA should challenge the Building Safety Act costs which Rendall and Ri8ner have budgeted for Chelsea Bridge Wharf (circa £400K) requiring a detailed justification and explanation of assumptions by Rendall and Rittner and proceed to first tier tribunal action if necessary.</p>	<p>The BSA costs for CBW are high and it is not clear on what assumptions they are based. The government has highlighted that abuse in this area is common and they highlight some of the ways in which managing agents seek to inflate costs.</p> <p>https://chelseabridgeward.org.uk/wp-content/uploads/2024/04/joint_letter_-_lee_rowley_and_philip_white.pdf</p> <p>TPI has found average BSA costs to be an average of £177.60 per property, compared to £347 per property at Chelsea Bridge Wharf (estimate based on Rendall and Rittner budget data)</p> <p>CBWRA claim to have carried out analysis showing that BSA costs at CBW are lower than some (unspecified) developments but have not shared this analysis with residents</p>	<p>This motions assumes that the RA has done nothing to examine the budgeted Building Safety Act costs.</p> <p>CBWRA has carried out an analysis of the budgeted costs and has also spoken to industry professionals. We are sharing our analysis at the AGM and will send this out after the AGM as part of the minutes, in the usual way.</p> <p>CBWRA has already challenged R&R several times on these costs. As many of the costs have not been defined in legislation, there are many unknowns as to what the true costs for 2024 will be. R&R's proposed costs so far seem to be in line with other London developments of a similar size and nature.</p> <p>Warwick Building secured a deal with L&Q whereby the costs are fixed at under £200, as L&Q will manage most of the work.</p> <p>Mike O'Driscoll does not specify how he suggests a First Tier Tribunal action would be funded. If this motion passes, then it commits the RA to taking a claim to the First Tier</p>	<p>This motion does not commit CBWRA to tribunal action and the figure of 'tens of thousands of pounds' is plucked out of the air using a well tried technique of CBWRA to scare residents away from courses of action which CBWRA do not like (they used the same ploy when they did not want to pursue Right to Manage and when they did not want to carry out an audit of service charges).</p> <p>My motion does not assume that CBWRA have carried out no investigation and indeed it specifically mentions the analysis supposedly carried out by CBWRA so this claim makes no sense.</p> <p>CBWRA now claim they "already challenged R&R several times on these costs" but when was this ever mentioned to residents before now? What did they challenge and what was the response? And if they consider the costs reasonable (as they claim) then what are CBWRA challenging? It does not make a lot of sense.</p> <p>CBWRA have refused until now to share the analysis which they have supposedly done, comparing Building Safet Act costs at CBW to other 'similar developments', and are still saying they will not share it until the AGM , when they know that many people will already have voted by proxy before then.</p> <p>So are we supposed to take it on trust that the BSA costs are somehow justified? Of course not. Rendall and Rittner have often been associated with inflated costs at CBW and elsewhere <u>and the budgeted costs are extremely high compared to the benchmark information which I have indicated from TPI and the government have also noted that managing agents are inflating costs in many instances</u></p> <p>It is clear that CBWRA wish to play down BSA costs because they do</p>

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		<p>Tribunal but without the means to fund an action that could cost tens of thousands of pounds, which makes this part of the motion meaningless.</p> <p>In the event that the final costs presented by R&R are above what they should be, it would make more sense for the RTM Company, once RTM is secured, to look at overall expenditure in order to challenge and raise claims, as appropriate. At that point, the costs and benefits would be distributed to all leaseholders, not just RA members.</p> <p>The RA will continue to analyse and challenge all expenditure that seems to be out of line with market rates.</p>	<p>not wish to invest time in investigating or challenging them, seemingly being incapable of multi-tasking</p> <p>It is also nonsense to say that the motion commits CBWRA to first tier tribunal costs because the motion calls for an INVESTIGATION and only involves tribunal action IF NEEDED. (i.e. if serious anomalies/areas of concern are found) . If such grounds are found then a decision could be made about were to proceed and likely cost. It is quite possible we could get a 'no win no fee' representation</p> <p>Where is the supposed guarantee of £200 per apartment limit on BSA cost for Warwick which CBWRA refer to? The current budget is already higher than that and this guarantee from L&Q (if it actually exists) only applies to Warwick Buildings. The budget for Eustace for example is £347 per property and actual expenditure may well be higher</p> <p>Finally CBWRA again invoke the mantra of 'we'll do it after Right to Manage' for dealing with everything. I hope RTM goes through but that is not guaranteed and even if it does the transition is unlikely to be realised before the end of this year</p> <p>NB the current chairs were telling residents until the end of 2022 that Right to Manage was impossible. Residents may also wish to see</p> <p>https://chelseabridgwharf.org.uk/2024/05/28/the-amazing-cbwra-bsadeal/</p> <p>https://chelseabridgwharf.org.uk/2024/03/04/cbrwa-apparently-ok-with-rendall-and-ritners-400000-fire-safety-charges-also-in-this-post-new-games-planned-to-manipulate-2024-chair-elections/</p>

Moton put forward by Mike O'Driscoll and seconded by Amani El-Kholy	Mike O'Driscoll notes	CBWRA notes	MOD reply
<p>CBWRA should publish full accounts for the last 3 financial years, clearly showing income and expenditure</p>	<p>CBWRA funds are (apparently) held by the CBW RTM company but are collected and used by the CBWRA</p> <p>The only accounts which are published by CBWRA / CBW RTM are exempted micro company accounts which do not show income and expenditure.</p> <p>It would appear that CBWRA cash in the bank has declined from around £27,000 2 years ago to circa £5,000 at the current time.</p> <p>Residents/members should be able to see accurate information on the current state of CBWRA finances so that they can be confident their subscription fees are being used well and appropriately,</p> <p>This does not imply any financial mismanagement but simply a request for</p>	<p>In our view, this motion is a moot point that unnecessarily and unfairly raises doubts about the integrity of the CBWRA accounts.</p> <p>The constitution clearly sets out how the annual accounts are to be presented and CBWRA has shared the accounts at the AGM every year, as per the consDtuDon. The accounts have then been shared by email alongside the minutes of the AGM.</p> <p>The RA has on several occasions responded to queries about where funds were spent and explained why less funds have been collected. This is because the RA had to start collecting funds from members starting at ground zero, rather than have R&R collect funds by default as was previously the case.</p> <p>We strongly reject the claim that we are not being transparent or are falling short of best practice and ask members to vote against this motion.</p>	<p>CBWRA's response is defensive and angry for no apparent reason. They have not been accused of anything and indeed my motion states</p> <p><i>" This does not imply any financial mismanagement but simply a request for transparency and best practice which is in the interests of CBWRA and its members"</i></p> <p>CBWRA claim to have shared "accounts" at every AGM but actually these are not accounts at all (as CBWRA well know) they are simply very vague financial summaries, not independently inspected or signed off to the best of my knowledge, which do not provide anything like sufficient insight or transparency</p> <p>CBWRA claim the constitution "clearly sets out how the annual accounts are to be presented"</p> <p>In fact all it says is this:</p> <p><i>9.5 The financial year shall end on 31 December up to which date any annual statement of accounts and balance sheet be submitted for approval at the subsequent Annual General Meeting</i></p> <p><u>CBWRA also abolished the requirement for RESIDENT AUDITORS (i.e. scrutiny of the accounts from outside the CBWRA committee) in their changes to the constitution in September 2023.</u></p> <p>CBWRA claim that the decline in CBWRA finances is simply due to the fact that they have to collect subscription fees from residents themselves (as opposed to when Rendall and Rittner deducted them via service charge). THIS IS SIMPLY NOT TRUE. The problem also results from extremely bad decision such as spending at least £9,000 on the 'retendering of the management contract' which CBWRA decided to do</p>

transparency and best practice which is in the interests of CBWRA and its members.

in 2022,. rather than to pursue Right to Manage, with no consultation with residents. There was no realistic chance of that ever succeeding.

<https://chelseabridgeward.org.uk/2022/09/27/retendering-the-management-contract-how-it-started-and-how-its-going-spoiler-alert-it-has-predictably-failed/>

CBWRA claim they started at "GROUND ZERO" (a rather bizarre metaphor) which is again untrue as, when Rendall and Rittner stopped collecting the membership, I believe there would have been around £20,000 in the bank. How is this "GROUND ZERO"

The decline in finances is also due to CBWRA's failure to attract new members to CBWRA . Indeed the CBWRA have done nothing to increase resident engagement and literally do not even understand what it means. They seem content to keep membership numbers low as long as they get enough income to cover the Directors' indemnity insurance. **This means that there are currently only around 150 CBWRA members out of 1150 (approx.) apartments.**

91% of leaseholders did not or could not vote in the recent Chair elections.

Increasing membership fees by 140% in Marc 2023 (from £20 to £48) and the revising the decision a few months later probably did not help either, in terms of attracting members.

CBWRA also allowed Garton-Jones free advertising on the app for several years (although they are now paying, we are told).

So this underlines the fact that CBWRA are not being transparent about the reason for the decline in CBWRA finances, just as they are not transparent about the Right to Manage contract with Urang, meeting notes (see below) and many other things.

<https://chelseabridgeward.org.uk/2024/05/25/cbwra-refuses-to-allow-committee-or-residents-to-see-the-contract-with-urang-what-are-they-trying-to-hide/>

			<p>In any case on the extremely vague information provided there is a arar lack of transparency and accountability with regard to the accounts IMHO</p> <p>Why should any organisation be afraid to publish accounts (or to claim that a few lines of summary are in fact "accounts"). If there is nothing to hide simply provide accounts for residents, like a normal residents' association. It is basic good governance.</p>
Moton put forward by Anne Cheng and seconded by Eva Liu	Anne Cheng rationale	CBWRA notes	
It is proposed that minutes to be taken at the leasehold forum meetings and circulate to all leaseholders in a timely manner.	Leaseholder forum meetings are vital for effective communication and decision-making among leaseholders. However, the lack of formal minutes can lead to misunderstandings and a lack of transparency. To ensure that all leaseholders are well-informed and to promote accountability, it is proposed that minutes be taken at all leaseholder forum meetings and published in a timely manner.	The leaseholder forum was intended as a drop-in, informal opportunity for leaseholders to meet the RA and bring any questions or suggestions. If members prefer a more formal meeDng with minutes, then we have no objection. We would ask the nominee to step forward and volunteer to take these minutes on behalf of the RA, which can then be reviewed and shared.	

NB this document may contain some typos or anomalies created in the conversion from pdf to word and back to pdf.

Mike O'Driscoll 8.6.24