

## Residents Q&As session with Toby Felton 30 May 2022

Venue: Portsmouth Offshore Group Club Room 6-8pm

RMG: Toby Felton (RMG Property Manager)

RCMRA: David Whitehead (chairman), Philippa Dickinson (Secretary), Erica Dawtrey (Treasurer)

Residents: 42 attendees.

<p>—</p> <p><b>Q&amp;As with Toby Felton, RMG Property Manager</b></p>  <p>30<sup>th</sup> May 2022</p>	<p>RCMRA Chairman welcomed everyone and Toby Felton, then handed over to the Secretary to take the meeting through residents' questions (many of which had been submitted in advance and featured on the slide presentation). Other questions are asked from the floor during the meeting. The following brief notes aim to summarise these Q&amp;As.</p>
<p>—</p> <p><b>What is a Property Manager?</b></p>  <p><b>Who do you work for?</b></p>	<p>Toby works for <a href="#">The Residential Management Group (RMG)</a>. Property Managers appointed by the site developers/landowner, <a href="#">Berkeley Homes</a> (BH) in May 2017. Toby reports to RMG Regional Manager, Leila Manzi.</p> <p>The property Manager's role is dictated by BH leases. Put simply, RMG Looks after buildings/areas they have responsibilities for under the leases and for which they are permitted to recover costs through Service Charges.</p> <p>The residential and commercial leases include sections setting out precisely what is the landlord's responsibility to maintain and what is not. Also what the leaseholder is and is not permitted to do with the property. Landlord has duty to enforce any breaches of the covenants (via RMG).</p>
<p>—</p> <p><b>What does a Property Manager do?</b></p>  <p><b>What <i>don't</i> you do?</b></p>	<p>Generally speaking, anything which is communal/shared by more than one person is likely to be the landlord's responsibility.</p> <p>Anything which is "demised" to the leaseholder, inside flat and only solely benefit to you is your responsibility: e.g. water pipe into meter cupboard and/or up to your property is not demised, but once inside your property it belongs to you and is your responsibility to maintain and repair. In the case of building insurance claims, these can be raised directly by individuals. This doesn't have to go via RMG (but worth keeping them informed).</p>

Which parts of RCY do you manage?

What *don't* you manage?



Some blocks and structures at RCY are not managed by RMG

- Bridge House – Freehold owned by [The Guinness Partnership](#),
- Wyatt Court and Cooperage Green – owned and managed by [Hyde Housing Association Ltd.](#) (RMG will be involved with the maintenance of the exterior of Wyatt Court),
- Commercial units in Cooperage Green/North Meadow (Capital Group/[Trafalgar Property Consultancy](#))
- The Reservoir and Weevil Lane – still BH responsibility. Not handed over to RMG to manage from Service Charges.

How do you decide which works need doing and when?



Legally, the Landlord (BH) must have regard to the maintenance of communal buildings and areas. However, this doesn't mean works always *have* to be done on the frequency set out in the lease. Many works will be scheduled according to when they *need* to be done in line with good property maintenance.

Before major works can start, RMG has to collect enough funds to get the work done. There is also a legal process set out in Section 20 of the Landlord & Tenant Act. If anyone is interested in knowing more about this process in relation to their building, please contact Toby.

A few general points:

- **Health and safety reports** for each building are done every year. Any concerns raised in the reports are acted upon in order of priority.
- On the **Listed buildings**, RMG will always look for contractors with relevant experience.
- **Lifts life expectancy** should be at least 15 years. Lifts are *very* expensive to replace. Where lift problems appear to be becoming frequent, RMG will look at the pattern of repair costs and options to decide if the lift can be refurbished or will need replacement.
- The Engine House works last year were completed under budget. It is expected that this will not need to be done again for 7 years.
- Due to the **complexity of the site**, RMG is managing 120 bank accounts across the site.
- **Reserves Funds:** The annual demands from RMG to leaseholders include contributions towards the various Reserve Funds which are relevant to your property. These funds are collected so that there is money available to fund any future major works, as laid out in your block's long-term Capital Expenditure Plan (the "Capex"). You may request a copy of the Block and Estate Capex from RMG. TF explained that 80% of the Reserve Funds across the site are known to be under-funded and efforts to improve this situation are being taken at budget times. If major works costs under run after a call for money from Leaseholders, they cannot be refunded. Any surplus will remain in the Reserve Fund for future works.
- **RMG makes the decisions as to which works get done**, and at the instruction of their client (Berkeley Homes). RMG does usually consult with leaseholder reps (the Residents Associations) as well. The RAs can and do make suggestions. but they don't make the decisions. RMG has to balance sometimes conflicting requests from leaseholders for works to be done (eg: Cleaning a carpet and installing new mats at entrance may avoid the need for total carpet replacement requested by a leaseholder).

Various ongoing and upcoming works:

- Flagstaff House internal redecoration will be done this year
- Phase C (Chandlers, Malthouse, Salthouse) internal redecoration – Once external final costs are known (believed to be under budget) then if enough money available in the Reserve Fund, the internals will start. TF does not want to have to ask for further monies from leaseholders. Salthouse will be the first, as the oldest building.

If problems with major works arise:

- If RMG appoint the contractor directly, RMG is responsible for monitoring the works, but if a surveyor is involved (more expensive but required for major works), the surveyor monitors the works. However, problems can still arise:
  - Example - Officers Quarters had an issue with contractor painted over window seals, surveyor has gone bankrupt, and there was a spec issue.
  - Flagstaff House paintwork failure – Surveyor and Contractor not responding. Very frustrating.
  - Phase H (Galleon & Ledwell) major works has a one year guarantee, Phase C two years.

Question from floor: Why were the missing railings on Weevil Lane not replaced when the railings were repainted?. TF: RMG only responsible for maintenance. As part of listed building status there would have to be consent from GBC to replace the missing poles.

Questions from Residents:  
**Lease breaches, Noise,  
Nuisance & Drugs**

- Noisy neighbours
- Noisy pets - are pets allowed?
- Suspected drug use/dealing in my block...
- Hanging washing out to dry. Not permitted in our lease but loads of people do it...



**Breach of covenants – can these be legally enforced?**

TF: only with solid proof , not opinions.

Comment from floor – Flagstaff House has a tenant **smoking drugs and reportedly dealing** from g/floor window of flat. Reported to Police several times but no action. As occupant is believed to be a tenant can this be taken up with the Leaseholder?

TF: If RMG is provided with solid proof (e.g time-logs, photos, police conviction) possibly. However, the best course of action is to keep a detailed record of evidence and report to the Police every time it happens. Your name and personal data would be kept confidential and not passed to the leaseholder of the flat by RMG.

**Anti-social/late night noise** – Leases state when we should not make noise (e.g. after 11.pm). Best course of action is to Call [Environmental Health at GBC](#), they have an out of hours service. They have the strongest powers to deal with noise & nuisance. If RMG have evidence they can speak to the leaseholder.

Comment From floor – Issue with **customers leaving Bakers Bar at the weekend** and have photo evidence. Damage done to property – TF asked for evidence to be sent to RMG

**Pets:** Phases A & I leases clearly state that pets are *not* permitted. Resident pets can be reported to RMG (please provide evidence). Other phases leases allow pets with permission of Managing Agents. Normally, this permission is granted but can be withdrawn or refused if the pet is or becomes a nuisance.

Questions from Residents:  
**Parking**

- Disabled bays
- Drop-off zones
- UKCPM enforcement
- Reporting anti-social parking
- EV charging points



**Parking:** When BH put in planning application in 2019 there was plenty of opportunity for leaseholders to comment. Some responses from RCY residents and the Residents Association were logged in the public consultation but eventually GBC approved the current proposal in Jan 2020, with a number of extra conditions (some of which are still to be implemented).

Unfortunately, it is too late now to complain about lack of EV charging points, disabled spaces, visitor parking. Similarly when Bridge House went out for consultation it was clear that 43 spaces from North Meadow would be lost to give Bridge House parking spaces there but very few objections from existing residents were submitted.

RMG can only enforce the plan as approved by GBC.

**Various questions from the floor**

- **Marking of bays in Flagstaff Green**, especially disabled spaces unclear and inadequate, what can be done to improve? TF: Unfortunately, BH took 2 spaces to create one disabled space and due to FG being a heritage area, there cannot be ground markings. A suggestion was made about possible marking on the kerb to reinforce awareness of the spacing as not being respected at present with non blue badge holders parking in disabled spaces. Disabled sign is missing from 1 pole. Mark to replace but it keeps getting vandalised.
- **No drop-off zone outside Flagstaff House:** TF confirms that UKCPM should allow 5 mins before ticketing, which should be sufficient for most non-drop-off zones. Option to increase 10 mins discussed but this could cause major inconvenience in other areas if cars are blocking other cars in (eg The Phase C courtyard)/
- **Problems with the Parking Management Company:** TF explained that leaseholders do not pay Parking Company. They get their money from fines. Comment from the floor that the current processes with UKCPM do not work as they do not answer phones or respond to emails. TF confirmed that there is an Service Level Agreement with the parking Management Company. If the Parking Company clearly gets things wrong and do not correct the error when they are made aware of it (not just a matter of opinion) send the correspondence & evidence to Toby.
- **EV charging points in Cooperage Green** should be charged at same rate for residents as Phase E/C. RMG to check. Aim is that EV points cover what we are charged thru service charges.

Questions from Residents:  
Maintenance of my Block

- Granary & Bakery Qc
- Window cleaning
- Internal redecoration timeline
- Lime mortar pointing repairs timeline
- Stair repairs timeline
- Galleon Place Qc
- What anti-pigeon methods on balconies are permissible for residents to use?
- Can feeding birds from balconies be discouraged?



Questions from Residents:  
Maintenance of the Estate

- Dog walkers/mess
- Why do we pay Service Charges for the Estate when we also pay Council Tax?
- Damaged guttering to the rear of North Meadow commercial units not repaired.
- Can we add planters outside our building if we maintain ourselves?
- Any chance of being able to recycle glass on site?
- Wildlife around the site (eg foxes...)



**Various questions from the floor**

- G&B Internals** – TF On hold because of impact of remedial works being done by BH to externals to resolve damp ingress, and also solution to fix Bakery North Staircase.
- G&B Window Cleaning** also on hold as instructed by BH because of the issue with putty/fresh paint at time of redecc in 2015 and subsequent mortar failings. Pole window cleaning could damage building further.
- Pigeons** – people are putting spikes on balconies to try to deter. We have residents feeding the birds which should stop.
- Pets** – too many dogs around off leads and leaving mess. TF – RCY is a public open space so nothing can be done. Floor reminded that when we enquired years ago about more dog poo bins it was agreed, not only were they expensive, but people that do not care, would still not use them.
- After redecc of Galleon Place – black soot left on ground.** Could the whole surround of the building be cleaned now work is finished? TF – RMG wrote to residents to ask for snagging issues to be reported and had little response.
- Dirty Bin Stores.** TF: Cannot clean bin stores with chemicals as dirty water runs into the sea.
- Cigarette Bins (Galleon Place).** Please can these be moved from the Entrances as not nice to walk through the fog to enter the building. TF – If moved, probably finish up with fag ends on the floor.
- Could leaseholders put planters outside the building if they look after them?** TF cannot stop them but worried about vandalism, and what happens when leaseholder leaves.

Questions from Residents:  
Reporting issues to RMG

- How do we report issues to RMG?
- Problems with the telephone numbers provided when reporting urgent incidents/issues. Why no specific category for reporting issues?



Best way to **contact RMG** is via the generic [royalclarence@rmguk.com](mailto:royalclarence@rmguk.com) e-mail address. Other ways to contact RMG are on the notice boards.

Query from the floor re **problems with RMG Customer Services** – TF will ensure the new number is on the notice boards as complaints no answer.

The RMG Office on the RCY Waterfront remains closed to visitors.

Questions from Residents:  
Safety & Security

- Why no CCTV across the development?



**CCTV.** TF: Likely to cost in excess of £200K across site. There is also the question about who would monitor and maintain the system and the associated ongoing costs. TF is aware that Police have asked in the past if we had CCTV for incidents. Would also need a licence to review content. And Listed Building permission if attached to the listed building. Not simple or easy. Also is likely to lie outside the scope of RMG's authority. TF went onto explain that while RMG can upgrade an existing obsolete system if a liked for like repair or replacement is not available but other "improvements" or enhancements (eg Sky Q) cannot be added to the site as this would have to be charged to everyone who contributes to the Service Charge whether they used the system or not. A complicated part of the legislation which governs what the freeholder/agent can and cannot do with leaseholder money.

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**Thank you!**



Meeting closed 20.00 with our thanks for Toby's time.

RCMRA

[www.rcmra.co.uk](http://www.rcmra.co.uk)

3 July 2022