



Chilmington Green Informal Residents  
Association

By email/publication on CMO website

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15<sup>th</sup> September 2022

Dear Chilmington Green Informal Residents Association

### **Response to Your Open Letter to the CMO Board of Directors**

Thank you for the open letter to the CMO Board sent on Monday 5<sup>th</sup> September 2022 by email.

We will do our best to respond to all the points made in the letter, but feel that first, we want to remind residents to be polite and courteous to each other and to CMO directors, staff, our contractors and volunteers. It is a difficult time for so many people and kindness and respect to each other should be uppermost.

We welcome the open letter to the CMO which allows us to respond constructively to the concerns of our residents. We also welcome residents contacting the CMO on an individual or group basis through our email address and/or requesting a meeting to discuss concerns in person.

The CMO is a registered charity and its Objects require it to act in the interests of its residents. By law, directors must work in the best interests of CMO which ultimately means the interests of the organisation and residents. This means that decisions are made for the benefit of residents as a whole over the long term. However, that may mean on occasion, individual or smaller groups of residents feel decisions are not in their favour. There is also potential for conflict between the short-term needs of residents and the long-term interests of the CMO. The role of the resident director reflects this position. Whilst Steve Bartlett is willing to listen to residents' concerns and present them to the board where appropriate, he cannot give personal views on matters. However, his legal duties and responsibilities as a director mean he must act in the interests of the charity. Decisions on matters such as the rent charge will be made collectively by the CMO Board and not by directors individually.

The CMO Board is very aware of the stresses and strains placed on our community by the current cost of living crisis and the very real concern this will be causing residents, particularly with the oncoming winter and fuel bills. These individual concerns are also shared by organisations and businesses who face many of the same pressures and will need to consider how to manage those pressures in the coming months.

The rent charge deed gives the Board discretion to increase the rent charge deed up to the RPI limit. The Board's decision-making process will decide whether it is appropriate to apply the maximum increase or a lesser figure based on the information presented to it. At the AGM, the CMO Board confirmed that it will explore the options around the inflation increase (RPI on RCD1) as part of its business planning cycle in the autumn through to January when the new business plan and budget will be approved. We also said we would review charging to the cap but that both these matters must be considered alongside the expected costs to the CMO in the 2023/34 year. The CMO is expecting to take handover of land for maintenance shortly (see below) and needs to understand the developers intentions for the 2023/24 financial year (land handover and occupations) to project costs. It would not be responsible to make decisions in the absence of these factors as the Board has a duty to safeguard the CMO both now and into the long term.

RMG has been working with developers to secure handover of land for maintenance by the end of September, employing the same process that they use on other development sites to ensure that land handed over is in the appropriate condition to be maintained in the long term. RMG recently met with developers and a local landscaping contractor on site to discuss the detail to the works and any remaining works required by the developer to bring the land up to the appropriate quality for handover. The first tranches of land will come across from Barratts and Jarvis imminently. The CMO is working with Hodson on a new process which if agreed will enable the CMO to take over the maintenance of areas within the Gate and Lakes under licence.

Your letter mentions the 'state of land at Barratts'. The inspection carried out by RMG and the local contractor confirms that many of the issues relate to the current drought and that following the winter, many of the plants and trees will recover. This will be kept under close scrutiny over the coming months with any defects being covered by the developer. The current drought conditions and their effect on the planting are not a reason to delay handover.

Regrettably, the board is therefore not able to make a decision about the 2023/24 RCD1 charge at this time. Residents will be informed in February/March when bills are issued. We will commit to communicating the finalised RCD1 figures shortly after a decision has been made and ahead of the issuing of bills, if possible. We will also be happy to meet with residents to talk through the construction of the budget following approval.

In the meantime, we welcome the opportunity to hear residents' concerns and urge those struggling with paying their bills to contact RMG to discuss options for payment. We will be publishing resident surgery dates in the September newsletter and will continue to use our members' database and website as a place to communicate information and developments related to land and asset handover.

Yours sincerely,



**Ben Lockwood**  
**Chair of the CMO Board**