

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

**MINUTES OF THE BOARD MEETING
HELD AT
QUAYSIDE, PORT SOLENT – 17th DECEMBER 2010**

| Present: Nick Hewitson (Chairman)
Michael Slack (Deputy Chairman)
Ian Currie (Company Secretary)
Nick Hewitson
Mike Sandall
Reg Sillence

In attendance: Samantha Simpson
Nikki Avis

1. APOLOGIES

10/12/001 Apologies were received from Barry White and Andy Sinton-Gerry.

2. ELECTION OF CHAIRMAN

10/12/002 Reg Sillence had indicated his intention to stand down as chairman at the recent AGM. It was proposed by Reg Sillence and seconded by Ian Currie and unanimously resolved that Nick Hewitson be and is hereby appointed Chairman of the Board.

The Board expressed its thanks to Mr Sillence for the many years of service as chairman of the board.

3. MINUTES OF THE PREVIOUS MEETING HELD ON 19th NOVEMBER 2010

10/12/003 Typographical amendments were made to minute 10/11/014 following which, the minutes were approved. Michael Slack proposed and Reg Sillence seconded.

4. MATTERS ARISING

10/12/004 Nothing further to report.

5. MANAGING AGENTS REPORT

Finance – Budget –Expenditure

10/12/005 Countrywide advised the Board that expenditure as at 7th December 2010 was £295,129.91 against the budgeted figure of £334,566.

10/12/006 A Director commented that the expenditure is significantly under budget and asked if this was likely to be the case at the end of the financial year. In response, a Director and Countrywide advised the meeting that there are several items of expenditure due to take place in the coming weeks, which will bring the expenditure in line with the budget.

Arrears

10/12/007 Total arrears including all aged debts as at 30th November 2010 amount to £9,484.44.

10/12/008 [] **Tintagel Way** – See confidential minutes

10/12/009 [] **Coverack Way** – See confidential minutes

Property Alterations

10/12/010 [] **Tintagel Way** – The meeting discussed the alterations and following the resolution of the queries raised from the minutes of previous Board meetings, the Board asked Countrywide to write to the owner to advise that unless the previously agreed works are carried out within the next 60 days, POSOL will have no alternative but to withdraw consent.

10/12/011 [] **Tintagel Way** – Countrywide informed the Board that as per its instruction a letter had been sent to the owner of [] Tintagel Way to advise that he has sixty days to comply with the terms and conditions for which consent was granted.

To date, Countrywide is yet to receive a response from the owner and a Director confirmed that the works have not been completed.

10/12/012 [] **Sennen Place** – The Covenants Working Group advised the Board that it had viewed the under balcony kitchen extension. It commented that the owners have brought the kitchen extension slightly further forward than indicated on the submitted drawings but it does not exceed the boundary flanking walls and is visually similar to other properties on the estate.

The Covenants Working Group advised the Board that it could see no reason why consent should not be granted. The Board duly endorsed this recommendation.

10/12/013 [] **Carbis Close** – Countrywide informed the Board that a letter had been sent to the owner of [] Carbis Close to advise that she has sixty days to remedy the breach of covenant relating to unauthorised alterations within the car port.

To date, Countrywide are yet to receive a response from the owner.

10/12/014 [] **Tintagel Way** – Countrywide advised the Board that it had received an application from the owner to install a 13 amp electricity supply to his garage which is situated in the compound at the end of Tintagel Way leading to Mullion Close.

The Covenants Working Group, having reviewed the plans submitted by SSE is satisfied that these represent a standard alteration and can see no reason why consent should not be granted subject to POSOL's terms and conditions.

The owner of [] Tintagel Way has accepted the terms, and therefore the necessary easement agreement has been drawn up and signed. The Board duly endorsed this action.

10/12/015 [] **Bryher Island** – Michael Slack declared his interest in this matter and abstained from the general discussion.

Countrywide advised the Board that it had received a request from the solicitor acting in the sale of [] Bryher Island for confirmation that various alterations to the external appearance of the property were carried out with POSOL consent. Countrywide commented that official written consent had been granted for some alterations, but that for others it seems that consent may have been granted verbally.

The Covenants Working Group having reviewed the file and having met the owner at the property, recommended that written consent be provided for the loft conversion as it is in keeping with the drawings submitted at the time of the application.

The meeting discussed the installation of the gate on the car port and the awning and it was commented that these alterations are standard and were actually carried out prior to the current owner purchasing the property. The Board agreed that consent could be granted to the current owner for the external alterations.

10/12/016 [] **Newlyn Way** – Countrywide advised the Board that it had received an application from the owner to carry out an under balcony kitchen extension and that the information had been forwarded to the Covenants Working Group for its consideration.

The Covenants Working Group advised the Board that it had reviewed the submitted plans and subject to the bi-fold doors having dark wood effect frames, it could see no reason why consent should not be granted. The Board duly endorsed this recommendation.

Gardening

10/12/017 [] **Coverack Way** – Countrywide advised the Board that it is awaiting receipt of the signed licence agreement from the owner.

10/12/018 [] **Bryher Island** – Countrywide advised the Board that it had written to the owner to inform him of the Board's comments and had yet to receive the requested information.

10/12/019 [] **Cadgwith Place** – Countrywide advised the Board that it had received an application to convert a small section of the front garden into a private parking space. The property does not currently have any allocated parking and parking in the vicinity of the property is very limited.

The Gardening Working Group and the Covenants Working Group reviewed the application and can see no reason why consent should not be granted, subject to that the new landscape area being in keeping with other gardens on the estate.

Berthing

10/12/020 **Residential Berth Lengths** – The Berthing Working Group advised the meeting that Verisona Solicitors has sent a letter to the owner of berth [] to clarify POSOL's and Premier Marinas position with regard to the length of the residential berths.

A Director commented that Verisona Solicitors had received a response from the owner of berth [] in which he states that he has seen the plan to which POSOL and Premier Marinas' refer and does not agree with their interpretation of the legal documentation.

10/12/021 **Berth [] and []** – Countrywide advised the Board that it had issued the work order to Solent Marine to carry out the replacement and testing of a sample of bolts, as well as a full condition survey of the 151 finger pontoons. Countrywide will chase the contractor for a start date and advise the Board accordingly.

10/12/022 **Berth [] and []** – Countrywide informed the Board that the owner of berth [] has advised that to prevent him losing his licensee, he will be arranging for the oversized vessel to be relocated to berth [] which is currently vacant and then moor his vessel

on [] as it has a much narrower beam and therefore will not trespass into the neighbouring berth's water space.

The trespass into the neighbouring berth has been resolved amicably so the matter is now closed.

Estate Security

10/12/023 **Marine Safety Ladders** – Countrywide advised the Board that the works are still ongoing and are due to be completed shortly.

10/12/024 [] **Coverack Way** – Countrywide advised the Board that it had yet to receive a response to the letters sent in respect of the installation of a gate at the pathway between Port Solent and Oyster Quay.

The meeting discussed the various alternatives for increasing the security of the property and the Board agreed the matter should be referred to the Security Working Group to look into and report back to the Board in due course.

General

10/12/025 **Proposed Closure of the Pathway between Oyster Quay and Port Solent** – Countrywide advised the Board that Oyster Quay MCL has appointed a new solicitor in the matter and therefore the matter has been placed on hold until Oyster Quay have verified their legal position.

The Board discussed the necessary course of action and it was agreed that until further action is taken by Oyster Quay nothing further can be done. The Board agreed the matter should be monitored by Countrywide until such a time that further discussion is required.

A Director raised the question of those people who have used the pathway for over 20 years having a right of way over it. It was recommended that those shareholders concerned pursue the matter individually with Portsmouth City Council.

10/12/026 **Remote Mooring Gate adjacent to [] Cadgwith Place** – Countrywide advised the Board that it is awaiting confirmation from GSB Fabrications of a meeting date to discuss the proposed works.

Countrywide will report back to the Board upon receipt of the quotation from the contractor.

10/12/027 [] **Tintagel Way** – Countrywide advised the Board that it had written to the owner about him annually withholding a proportion of his service charge due to a problem he has been experiencing with the television aerial signal within his property.

The owner has responded stating that the developer never installed a supply and he had to get one installed at his own expense. Therefore he feels he is justified to deduct monies for a service he does not receive.

The Board discussed the content of the owner's response and it was commented that as the owner has never granted access into the property to rectify this matter, the Board was unable to rectify any fault he may have been experiencing. Therefore there is little that can be done. It was pointed out however that withholding service charge monies is not permitted and the debt will be pursued in the usual way.

6. WORKING GROUP REPORTS

Finance

10/12/028 Ian Currie informed the Board that it was time to commence drafting the service charge budget for the coming financial year. He requested that the Working Groups submit the expenditure they wish to have included in the budget.

10/12/029 **Port Solent Charge Review** – A Director advised the Board that he and Countrywide had met with Premier Marinas to discuss the review and that they had raised several queries relating to certain items of expenditure which they are awaiting responses to.

A Director queried the wording which states that POSOL is liable to contribute to the Port Solent Charge. In response, it was commented that POSOL has no choice, however with each five yearly review it seeks to get a reduction on the charge.

The meeting discussed the inclusion of capital items of expenditure in this years review given that the Port Solent Charge has always related to the running costs of the Marina. The Board agreed to review the Underlease between Port Solent Limited (Premier Marinas) and POSOL to ensure that POSOL are only paying for items they are legally responsible for. The Board agreed to look into the matter further.

10/12/030 Countrywide agreed to follow up with its lawyers whether an unpaid service charge was a liquidated debt or not.

Covenants

10/12/031 **External Alterations Policy Review** – The Covenants Working group advised the Board that it had discussed the proposed changes to the External Alterations Policy and requested the Board's comments on the draft policy which it has produced.

The Covenants Working Group commented to the meeting that Countrywide maintain a comprehensive database to record any applications for external alterations and the outcome of each individual application. He commented that this database will coincide with the new procedures and should make the process easier.

10/12/032 [] **Cadgwith Place** – The Covenants Working Group commented to the Board that it has no problem with doors installed at the property and once the owners have painted the balcony to be in keeping with the other houses on the estate, it can see no reason why full retrospective consent should not be granted.

The Board agreed with the recommendations of the Group and it was agreed that following a visual inspection of the completed works, full retrospective consent will be granted.

10/12/033 [] **Cadgwith Place** – The meeting discussed the submitted application for an under balcony kitchen extension. The matter has been referred to the Covenants Working Group; it will inspect the external alterations and report back to the Board in due course.

10/12/034 [] **Bryher Island** – The Board discussed the alterations that have been carried out to the property and it was commented that the two sets of submitted plans contradict each other.

The Covenants Working Group will review the file and report back to the Board with their findings at the next Board meeting.

10/12/035 [] **Sennen Place** – Countrywide advised the Board that work has commenced on a loft conversion. It has reviewed the property file and can find no official letter granting consent. However a letter was sent to the owners several years ago, advising that POSOL would not allow for the installation of a dormer window but as an alternative the owners could install a Velux window.

The Covenants Working Group are to review the file and report back to the Board in due course.

10/12/036 [] **Bryher Island** – Countrywide advised the Board that it had received a letter from the owner appealing the Board's decision to refuse consent for the removal of a landscaped area to provide additional car parking for the property.

The Board asked Countrywide to acknowledge receipt of the letter and advise that the matter had been referred to the Covenants Working Group. The Group will review the application, the owner's comments and report back to the Board in due course.

10/12/037 [] **Bryher Island** – Countrywide informed the Board that the owners of the property have been experiencing difficulties finding a new front door which is a match for the existing door. The owners advised that they will submit images of the options available for the Board's approval in due course.

10/12/038 [] **Newlyn Way** – See confidential minutes

10/12/039 The Board asked Countrywide to instruct a contractor to replace all the signs on the estate which state that clamping is in force across the estate.

Gardening

10/12/040 **D-Section in Holywell Drive** – Countrywide advised the Board that it had re-issued the work order to Hambrooks for the agreed works as they had not received the previously issued one.

The Gardening Working Group commented that it was not entirely satisfied with the gardening contractor, Hambrooks as it feels they are taking too long to carry out works they have been instructed to do.

The meeting discussed the comments made by the Group and it asked the matter to be addressed during the estate walk around in January.

10/12/041 [] **Mullion Close** – Countrywide advised the Board that the owner of [] Mullion Close has asked the Board to consider rejuvenating the lawn area outside the garage compound in Mullion Close as it is currently prone to dog fouling.

The Gardening Working Group will consider the request and report back to the Board in due course.

Website & Shareholders Communications Working Group

10/12/042 **Monthly Email Newsletter** – Countrywide advised the Board that it had issued the monthly email to all Shareholders on the distribution list.

10/12/043 **Website Rejuvenation** – Countrywide advised the Board that to date it has received three quotations for the rejuvenation and maintenance of the POSOL website, one of which is from the current service provider Apollo Media.

Berthing

10/12/044 **Berth []** – A Director commented that the owner of the vessel situated on berth [] is still securing their vessel to the ladder in the vicinity of the berth and it is causing the ladder to become loose.

Countrywide advised the Board that it is notifying Premier Marinas as the ladder is attached to the marina capping wall and is therefore their responsibility to take the necessary action against the Shareholder.

10/12/045 A Director commented that he has been approached by the owner of berth [] with the request that additional cleats are installed throughout the Marina.

Countrywide advised the Board that it had also received this request and had advised the owners that if they wish to have cleats installed they will need to contact Premier Marinas directly. They have been informed that POSOL will not be undertaking any such work programme.

Security

10/12/046 The Board asked Countrywide to instruct a contractor to remove the road sign which is currently being used as a foothold by youths to get over the wall and security gate on Bryher Bridge. The sign will be attached to the side wall of [] Tintagel Way.

Countrywide confirmed that it will consult the owner of [] Tintagel Way as the wall to which the sign will be attached is demised to his property.

Port Solent Community Working Party

10/12/047 A Director provided the Board with an update on the activity of the Port Solent Community Working Party.

The data from the Community Involvement Exercise has been collated and a copy will be issued to Portsmouth City Council on 20th December 2010.

Portsmouth City Council have announced that it will be looking to build between 200 and 750 dwellings in the vicinity of Port Solent, the exact number will be dependent on any infrastructure development. Portsmouth City Council has not provided any background information on how it came up with these estimates and therefore the Group recommends that POSOL drafts a response to the proposed figures but also feels that it would be beneficial for individuals to lodge an objection as well.

7. ANY OTHER BUSINESS

10/12/048 The meeting discussed and agreed extending an invitation to any Chairman of a Working Party, who is not a member of the POSOL Board to the meetings when necessary to discuss relevant items.

10/12/049 **Minutes from the Annual General Meeting 2010** – Countrywide asked the Board for any comment on the minutes from the AGM. These minutes were subsequently approved, Michael Slack proposed and Mike Sandall seconded.

8. DATE OF NEXT MEETING – 21st January 2011

