

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

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

Present: Reg Sillence (Chairman)
Michael Slack (Deputy Chairman)
Ian Currie (Company Secretary)
Mike Sandall
Nick Hewitson
Andy Sinton-Gerry

In attendance: Samantha Simpson
Michelle Hill

1. APOLOGIES

10/09/001 Apologies were received from Barry White and Nikki Avis.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 13th August 2010

10/09/002 The minutes were approved. Nick Hewitson proposed and Mike Slack seconded.

3. MATTERS ARISING

10/09/003 Nothing to report.

4. MANAGING AGENTS REPORT

Finance – Budget –Expenditure

10/09/004 Countrywide circulated a revised copy of the expenditure report explaining that while the amount of actual expenditure relating to Management Company expenses was correct, the budgeted figure to 31st August 2010 was not, due to a typing error.

10/09/005 Countrywide advised the Board that expenditure as at 31st August 2010 was £196,218.21 against the budgeted figure of £212,830.

Arrears

10/09/006 Total arrears including all aged debts as at 31st August 2010 amount to £9,967.62.

10/09/007 [] **Newlyn Way** – See confidential minutes

10/09/008 [] **Coverack Way** – Countrywide advised the Board that the owners counterclaim against POSOL for damages were struck out by the Court, and that it had now submitted the necessary paperwork to the Courts to be awarded Judgement.

Property Alterations

10/09/009 [] **Newlyn Way** – Countrywide advised it had written to the owner chasing the documentation he had promised to supply at a meeting with the Covenants Working Group. He had been advised that should he proceed with the works without first

obtaining POSOL consent he would be in breach and a charge of £250 would be levied for any retrospective consent that may have to be issued.

The owner had subsequently submitted a rough drawing of the works he proposed to carry out, however both the Covenants Working group and Board felt that this drawing was insufficient. The Covenants Working group agreed to meet with the owner once more to clarify exactly what was required in order for POSOL consent to be granted.

- 10/09/010 [] **Bryher Island** – Countrywide advised the Board it had received full architectural drawings from the owners in relation to the proposed works to the property. It would forward these to the Covenants Working group for their consideration, who in turn would report back to the Board at the next Board meeting.
- 10/09/011 [] **Tintagel Way** – Countrywide advised that the owner of the property had still not commenced the works to re-route the external ducting and it had not heard from the owner as to when these works were likely to be undertaken. After some discussion, it was agreed that the Covenants Working group meet with the owner of the property to remind him of the work he had previously agreed to carry out and to seek a definite completion date.
- 10/09/012 [] **Tintagel Way** – Countrywide advised that it had not taken any action against the owners of the property since it had been informed by a Director that the decoration of the recently installed patio windows and doors on the front and rear elevations was already in progress. The same Director informed the Board that the front elevation had been completed and that the rear would be painted shortly. Countrywide will continue to monitor the situation, and if the rear elevation units are not painted by October, then it will, on the Board's instruction, write to the owner accordingly.
- 10/09/013 [] **Bryher Island** – Countrywide advised it would write to the owner asking for confirmation that he accepted POSOL's terms and conditions for the issuing of consent with regard to the proposed carport alteration.
- 10/09/014 [] **Bryher Island** – Countrywide informed the Board that the owner of the property had applied for consent to carry out alterations to the carport in 2008 and that consent had been granted. Therefore the recent alterations to the property were fully authorised.
- 10/09/015 [] **Sennen Place** – Countrywide had raised POSOL's concerns over the owner's apparent intent to raise the level of the garden/patio from the proposed kitchen extension directly with the owner. The owner confirmed that this was not the case and that the new extension would simply meet with existing level of decking, indicating that it was already raised. The matter was therefore referred back to the Covenants Working group in order for them to visit the property and view the existing layout of the garden. The group will report back to the Board in due course so that a decision can be taken as to whether consent should be granted.
- 10/09/016 [] **Holywell Drive** – The owner of the property has submitted a detailed application to convert the existing front garden of the property into a driveway. The property does not currently have any parking. The Covenants Working group, having viewed the application, was in principle in agreement on condition that the strip of landscaping on the left hand side of the driveway being retained be a minimum of 75cm wide as opposed to the proposed 60cm. Furthermore, the paving to be used should be in keeping with other properties in Holywell Drive. The Board agreed with these recommendations and asked Countrywide to convey them to the owner.

Furthermore, it was agreed the costs of removing the existing shrubs and replanting the garden be at the expense of the owner.

10/09/017 [] **Kelsey Head** – The owner has applied for POSOL consent to convert the porch of the property. The proposed works include replacing the existing front door with a glass door and fitting an external front door to the porch entrance. The Covenants Working group recommended that consent be given. After due consideration, the Board agreed that it would like to see details of the proposed external front door before it granted consent, and Countrywide was asked to contact the owner to obtain these.

10/09/018 [] **Carbis Close** – The owner has applied for POSOL consent to carry out a loft conversion at the property. The Covenants Working group, having already studied the proposals agreed that this was a standard alteration and as such POSOL consent should not be withheld. The Board agreed and as such POSOL consent was granted.

Gardening

10/09/019 [] **Cadgwith Place** – The Board was advised that the matter had now been completed and that the relevant Licence documentation had been signed by both parties and the fees paid.

10/09/020 It was agreed that the Licence used for [] Cadgwith Place should be the template for any other applications from POSOL shareholders to lease POSOL land.

10/09/021 [] **Holywell Drive** – Countrywide informed the Board that the owner of the property had been advised of the Licence terms and conditions in addition to the costs involved in renting POSOL land. The owner had yet to respond advising whether or not he wished to proceed with the matter.

10/09/022 [] **Coverack Way** – Countrywide advised the Board that the owner had agreed to the terms and fees relating to the licensing of a parcel of land adjacent to the property. The matter was now being referred to Verisona Solicitors to enable them to draw up the relevant Licence.

Berthing

10/09/023 Residential Berth Lengths – The Board discussed the ongoing matter concerning the owner of berth []'s dispute with both POSOL and Premier Marinas over the length of his residential berth.

The owner continues to maintain that the title plan attached to his sub-underlease clearly shows his demised water space as measuring 12.5m in length and therefore the new procedures put in place by Premier Marinas with regard to overlength vessels do not apply to his berth.

POSOL having obtained all legal documentation relating to POSOL berths in this particular area of the marina has clearly determined that the berths are in fact 11 metres in length. Such dimensions are shown clearly on the conveyance plan attached to the underlease between POSOL and Premier Marinas. Since POSOL is not able to lease out any additional waterspace that itself has not been leased, it must be assumed that berth [] is 11m.

If any title plan shows berths in this area measuring 12.5metres then it is likely that this is due to a drafting error made when the berth sub-underleases were drawn up several years ago.

Premier Marinas has advised the Shareholder concerned that it has referred the matter to solicitors and a legal team is currently reviewing all legal documentation pertaining to the berths at Port Solent. Once their investigation is complete they will liaise with POSOL to decide on what further action, if any, is necessary.

10/09/024 **Berth [] and []** – Countrywide advised the Board that the advice received from Walcon Marine, Solent Marine Ltd and Baker Trayte about the overall condition and proposed maintenance of the pontoons has varied considerably.

Countrywide advised that it had recently met with a new contractor, Solent Marine Ltd, who having undertaken a brief assessment of the pontoons in Newlyn Way, advised that they were generally in good condition and did not require any substantial repairs.

It was therefore agreed that the Berth Working Group would meet with Solent Marine Ltd, and if it was satisfied that the company could fulfil POSOL's requirements, then it would follow their recommendations to sample test and replace 10-15% of the pontoon bolts around the marina.

10/09/025 **Remote Mooring area adjacent to [] Cadgwith Place** - Countrywide informed the Board that all of the items previously deposited on the quayside had been removed by their owner and as such no further action from POSOL was required.

10/09/026 **[] Bryher Island and Berth []** - The owner of the berth has recently obtained POSOL and Premier Marina's permission to moor a Linssen measuring 11.58m long and 3.86m wide on the berth.

However, an issue has arisen at the point of registration, since the vessel is in co-ownership and the covenants relating to this berth clearly state that no part of the vessel may be owned by anyone who is not a resident of Bryher Island. Countrywide is in communication with both owners in an attempt to resolve the issue.

Estate Security

10/09/027 **Marina Safety Ladders** – Countrywide advised the Board that 6 new ladders had been replaced around the marina. Countrywide asked the Security Working Group to confirm how many additional ladders it required and where they should be installed.

In addition to these new safety ladders, POSOL is arranging for all red pontoon caps to be thoroughly cleaned down and 2 bands of reflective tape to be put around the cap, in order that these exit routes from the water are more visible in low light conditions.

10/09/028 **[] Coverack Way** – Countrywide advised the Board that it had written to the owner of the property inviting him to a meeting with the Security Working group to discuss improvements to the existing security fencing in the vicinity of his property, and was waiting for a response.

General

10/09/029 **Proposed Closure of the Pathway between Oyster Quay and Port Solent** – Countrywide advised the Board that the management of Oyster Quay flats still had a firm intention to install a gate on the pathway.

Upon receipt of POSOL's letter, sent by Verisona, Oyster Quay had proposed a meeting with POSOL to discuss the matter further and see if an amicable solution could be found.

POSOL firmly believes that Oyster Quay Flats Management Co. Ltd have no right to block access as the footpath is a public right of way.

10/09/030 **Portsmouth Local Redevelopment Framework – The Portsmouth Plan**

A Director reported on the initial setting up of the Port Solent Community Working Party and submitted a circular which the WP would like mailed to every POSOL shareholder. It was agreed that POSOL would undertake this task and sufficient copies of the circular were handed to Countrywide to send out.

10/09/031 **Portsmouth City Council Parking Proposals for Lock View** – Countrywide advised that, in accordance with the Board's instructions, it had lodged objections to the Council's parking proposals for Lock View on the grounds that the proposals would have a serious knock on effect on parking problems elsewhere on the estate.

POSOL is concerned that by restricting parking in the area, the Council will force car owners and in particular, the employees from the Portway offices to park in neighbouring roads in Port Solent, causing a further nuisance and obstruction.

The Board discussed various scenarios, however it was agreed that whatever parking control measures were introduced, they would prove unpopular since although they may resolve the issues surrounding local business parking in Port Solent, they would severely impact on residents and their visitors parking in the area.

Countrywide advised that the proposals were being discussed at a Transport & Transportation Cabinet Meeting on Thursday 23rd September 2010. After a brief discussion on the matter, it was agreed that Tony Charles of Portchester Planning Consultancy be asked to attend on POSOL's behalf and raise POSOL's concerns with the meeting.

5. WORKING GROUP REPORTS

Finance

10/09/032 **Year End Accounts 2009 -2010** - The Accounts for the year ended 31st March 2010 were signed off by the Board.

The Directors agreed on the final version of the commentary on expenditure items where appropriate, which will accompany the Accounts when they are circulated to Shareholders.

Covenants

10/09/033 [] **Sennen Place** - The Covenants Working Group advised the Board that the owner of the property was requesting POSOL consent to carry out an under balcony kitchen extension

The group, having reviewed the application recommended that consent be granted, subject to the owners setting back the line of the proposed new sliding folding doors to the line of the existing first floor balcony above. Also the group advised that consent could not be given for the area of sloping glass roof, and that the rear garden decking should be kept at the same level as the existing garden.

The Board asked Countrywide to seek written confirmation from the owner agreeing to these terms, upon receipt of which POSOL consent could be granted.

10/09/034 [] **Bryher Island** – The Board endorsed the granting of POSOL consent to the owner of the property for proposed alterations to the carport. The owner proposes to maintain a minimum of 2.2m of available carport space thus meeting POSOL's requirement of a minimum overall distance from the back of the carport to the back of the pavement of 7.8m.

10/09/035 [] **Newlyn Way** – The owner of the property is seeking POSOL consent to carry out a carport conversion. The Covenants Working group asked Countrywide to arrange a meeting with the owner of the property to enable them to check the dimensions proposed and discuss the proposals directly with the owner.

Subject to the Covenants Working Group being in agreement following their meeting with the owner, the Board agreed that consent should be granted.

10/09/036 [] **Bryher Island** – The owner of the property has appealed against POSOL's decision to withhold consent for the alterations carried out in the carport. The owner claims that there is sufficient parking on the driveway for 2 cars and as such they meet POSOL's requirements for this type of alteration.

After a full review of the application by the Covenants Working group and due consideration by the full POSOL Board, POSOL reluctantly agreed to issue consent on this occasion.

Gardening

10/09/037 Nothing further to report.

Website & Shareholders Communications Working Group

10/09/038 **Website Rejuvenation** – POSOL had been presented with an example of the new website design and layout. The Board are satisfied with this, however have asked Countrywide to negotiate with Apollo Media on the costs involved.

10/09/039 **Bi-Annual Newsletter** - The Chairman reminded the Board that the Autumn 2010 newsletter will be sent out in October with the service charge invoices, and he asked for directors to contribute articles to be included.

10/09/040 **Management Statistics** – Countrywide advised the Board that during the period 13th August to 16th September 2010 it had received 189 letters/emails and had sent out 280 letters/emails. In addition to this 90 shareholders had elected to receive the monthly

email digest. It has received 50 calls in and made 43 calls out. 4 new applications for external alterations had been received and 5 property assignments were completed.

10/09/041 **Port Solent Community Working Party** – The working party has been formed primarily to represent the interests of POSOL, Oyster Quay and Anchorage Flats, RAPS, Port Solent Yacht Club, Boardwalk traders and other commercial interests at Port Solent.

A further mailing will be sent out in October inviting Shareholders to attend a Community Involvement Exercise which will be held on Saturday 30th October 2010. If people are unable to attend then they will be issued a questionnaire which they can complete instead so that their views can be taken into account.

Berthing

10/09/042 Nothing further to report.

Security

10/09/043 **Parking Spaces adjacent to [] Cadgwith Place** - A Director advised the Board that he had been contacted by the owner of [] Cadgwith Place who was concerned by cars parking in such close proximity to the gate leading to remote berth area 11. The cars usually park so close to the gate that it makes access to the remote berths in the area incredibly difficult

The Covenants WG will look at the site and make recommendations as to what action can be taken, if any.

6. ANY OTHER BUSINESS

10/09/044 Nothing further to report.

7. DATE OF NEXT MEETING – 15th October 2010