

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

**DRAFT MINUTES OF THE BOARD MEETING
HELD AT
QUAYSIDE, PORT SOLENT – 18th June 2010**

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

In attendance: Samantha Simpson
Nikki Avis

1. APOLOGIES

10/06/001 Apologies were received from Reg Sillence and Michael Slack conveyed those of Barry White.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 28th MAY 2010

10/06/002 Typographical amendments were made to minutes 10/05/003, 10/05/021, 10/05/032, 10/05/037, 10/05/046, C10/05/009, C10/05/018 and C10/05/047 following which, the minutes were approved. Ian Currie proposed and Andy Sinton-Gerry seconded.

3. MATTERS ARISING

Directorate

09/06/003 Ian Currie conveyed on the Chairman's behalf, his wish to step down as Chairman in the not too distant future and asked that the Board consider electing a Deputy Chairman who will stand in for him and eventually take on the role.

Ian Currie formally asked the meeting for a nomination and/or a volunteer. The matter was discussed and Michael Slack put himself forward for consideration.

At the request of Ian Currie, the Board resolved; that Mr Michael Slack of [] Bryher Island, Port Solent be and is hereby appointed as Deputy Chairman. Ian Currie proposed, Nick Hewitson seconded and all approved.

4. MANAGING AGENTS REPORT

Finance - Budget - Expenditure

10/06/004 Countrywide advised the Board that expenditure as at 11th June 2010 was £145,972.38 against a budgeted figure of £156,349.

10/06/005 A Director asked for clarification as to whether there are any invoices pending as there is a significant difference between the budgeted figure and the actual expenditure. Countrywide advised that only a small outstanding invoice was due from Hambrooks.

Arrears

10/06/006 Total arrears including all aged debts as at 17th June 2010 amount to £26,091.11.

10/06/007 [] Newlyn Way – See confidential minutes

10/06/008 [] Newlyn Way – See confidential minutes

- 10/06/009 [] **Coverack Way** – See confidential minutes
- 10/06/010 [] **Mullion Close** – See confidential minutes
- 10/06/011 [] **Coverack Way** – See confidential minutes
- 10/06/012 [] **Carne Place** – Countrywide advised the Board that the account had been settled in full.
- 10/06/013 Countrywide advised the Board that the Accounts Department will be issuing final reminders to all Shareholders that have yet to pay their April invoice.

Property Alterations

- 10/06/014 [] **Bryher Island** – See confidential minutes
- 10/06/015 [] **Bryher Island** – Countrywide advised the Board that it had received a response from the owner, who is not in agreement with the Board's proposal to retain a minimum of 2.65 metres to ensure symmetry with a neighbouring property. The owner has proposed the compromise of retaining 2 metres of available carport space.

The Covenants Working Group informed the Board that they had reviewed the revised application and recommended that consent be granted.

Countrywide commented that the owner had submitted his application prior to that of his neighbour who commenced the works without POSOL consent. If this had not been the case, would the Board have recommended that [] Bryher Island retained 2 metres to mirror the proposal for [] Bryher Island.

A Director asked the Covenants Working Group to clarify how much parking the owners had at the property. In response, he was informed that there is ample parking for two vehicles.

The Covenants Working Group recommended once again that consent is granted. This action was endorsed by the Board.

- 10/06/016 [] **Kelsey Head** – Countrywide advised the Board that they had written to the owner with the Board's comments regarding his application for external alterations.

The Board agreed that the Covenants Working Group review the matter on receipt of the requested information and provide consent on behalf of the Board in due course.

- 10/06/017 [] **Newlyn Way** – Countrywide advised the Board that it had received an application from the owner for two external alterations. The owner wishes to replace the existing patio doors on the ground floor level with tri-fold glass doors, as well as partially converting their carport into habitable space and proposes to retain 90cm of carport.

They have written to the owner informing him that they require further information and detailed drawings in respect of the proposed changes. The Covenants Working Group asked the Board if tri-fold doors are permitted. In response Countrywide informed them that they were common across the estate and as long as they retain the same size, shape and are a colour match they see no problem with them.

Furthermore, the owner has been advised that POSOL will not grant consent for the conversion of the car port with the proposal to retain 90cm. The owner will have to retain a minimum of 2 metres. Countrywide has asked him to reconsider his application and re-submit.

Gardening

10/06/018 [] **Cadgwith Place** – Countrywide informed the Board that it had received the revised Licence Agreement from Verisona Solicitors; however the Shareholder has raised several further changes and feels that the Solicitors acting on behalf of POSOL have not adhered to the original terms originally agreed between both parties.

Countrywide commented that it had requested an item is inserted into the agreement with regards to term of the agreement upon expiry of the 3 years. It had been advised that the term should not be included in the agreement and that the agreement could be renewed at the end of its expiry.

The meeting discussed the financial implications of this matter continuing unresolved and a Director commented that the Shareholder is responsible for the Solicitors' bill. In a bid to resolve the matter, it was agreed that a copy of the current agreement be circulated to all Board members and a meeting between the owner, Verisona Solicitors and a representative of the Board be arranged to discuss and finalize the agreement.

10/06/019 **Estate Gardening Review** – Countrywide advised the Board that all of the quotes that were submitted by Hambrooks have been approved with the exception of one and all residents have been notified of the proposed works.

10/06/020 **D-Section in Holywell Drive** – Countrywide advised the Board that there still are some additional works to be carried out in this area by Hambrooks and that it will chase them for a completion date.

10/06/021 [] **Holywell Drive** – Countrywide informed the Board that it is in receipt of a request from the owner to rent a section of POSOL land on the Portway. Records show he made a similar request three years ago but the matter was never concluded.

Countrywide has written to him to request more detailed information with regards to the size of the area he wishes to rent, the position of the land and for what he intends to use the section of land for. They have accordingly advised the Shareholder of POSOL's terms and conditions in respect of the license agreement, rent payable and ownership of the land. He has been asked to supply the requested information and confirm acceptance of POSOL's terms prior to the matter receiving Board consideration.

Berthing

10/06/022 **Berth Lengths** – Countrywide advised the Board that Premier Marinas has written to six Shareholders who have disputed the new procedures for registering an over sized vessel. Premier has explained how it reached its decision with regards to Berth lengths and the implemented charges.

On behalf of the Chairman of the Berthing Working Group, a Director advised the Board that Countrywide has obtained a random selection of Title Plans from the Land Registry for properties across the estate and determined that there is an average berth length of 11m with some in certain particular locations measuring at 10m.

The meeting discussed how some plans provided within the Title Deeds have been poorly drafted so if you measure the water space by scaling off the pontoon you will not get an accurate measurement. A Director commented that measurements should not be scaled from the pontoon as it is a temporary structure, and that the width of the houses should be used as a correct accurate basis for scaling instead.

The Directors commented that a letter should be written to the Shareholders stating that if they were to scale off their plans from the house it will give them accurate measurements for their demised water space. Regardless of what personal plans a Shareholder has possession of; the documents filed with the Land Registry are what should be upheld.

Countrywide proffered the idea that an informal meeting be held to discuss and resolve the matter as corresponding with the complainants via email and letter does not seem to provide them with the information they require. They also advised that Premier Marinas have determined that the matter is closed and their final decision is that the nominal length of residential berths with finger pontoons is 11m.

The Board asked Countrywide to write to the owner of [] Tintagel Way outlining POSOL's position, explaining how it reaches the correct measurements for the pontoon and invite him to sit down with the Berthing Working Group. Countrywide agreed to draft the letter and will circulate it to the Board for final approval prior to sending.

10/06/023

[] **Newlyn Way and Berth []** – Countrywide advised the Board that the owner believes he was sold by the developer a property with a 14m berth. It has been ascertained that he has not in fact purchased such a Berth but has been granted special permission by Port Solent Limited to moor a vessel up to 14m in length. This was corroborated by letters that have been attached to the sub-underleases for the neighbouring berths.

A Director requested to see sight of the documents relating to berth [] and the correspondence from the berth owner.

10/06/024

Berth [] and [] – Countrywide advised the Board that it had received a letter from Walcon Marine which has been circulated to the Berthing Working Group.

A Director commented that it seems Walcon Marine are more concerned with protecting themselves against blame for the failed bolt than with providing suggestions on how to remedy the matter.

The Berthing Working Group recommended to the Board that a test sample of 50 bolts are replaced across the residential marina and analysis of the bolts is carried out to determine whether these failures are the result of a fault with the bolts or just general wear and tear.

Countrywide asked for recommendations from the Directors of who to obtain quotations from to carry out the testing of the bolts.

The meeting discussed obtaining quotes for the sonic testing of 30 bolts from a sample of 15 pontoons and the costs involved with replacing all bolts on the 150 finger pontoons in the marina. In response, a Director asked why the Berthing Working group feel it is necessary to have them sonically tested as they are checked by Baker Trayte when carrying out the annual pontoon maintenance. He was advised that these checks are just visual and we need to know what is happening internally.

Countrywide to obtain quotations for sonic testing of 30 bolts and also replacement of 300 bolts on all the pontoons.

Estate Security

10/06/025

Marina Safety Ladders – The Security Working Group advised the Board that it had surveyed the marina and identified which ladders required replacing and which areas needed the installation of a ladder. They commented that residents had also installed make shift ladders and attached them to the marina wall.

Countrywide advised the Board that it had made several attempts to contact Racolin to purchase the new security ladders but had been unable to do so at present.

The Group circulated several images highlighting issues they had identified across the marina such as root ingress through the capping and over hanging hedges, rusty ladders and dangerous electricity meter cupboards in the remote mooring areas.

Premier Marinas and Hambrooks will be notified accordingly and asked to deal with

certain issues. Countrywide commented that the meter cupboards are a long standing issue and that it is the responsibility of the owner of the meter to ensure it complies with Health and Safety Regulations. The Board asked for clarification whether these repairs can be carried out by POSOL and the cost re-billed to the owner.

The Board agreed that a final letter should be sent to the owner(s) concerned requesting the repairs be carried out as soon as possible or alternatively Countrywide will organise the work and will bill accordingly.

General

10/06/026 **Proposed Closure of the Pathway between Oyster Quay and Port Solent** – The Board was proposing to take the appropriate action to oppose any closure or restriction of the right to use the pathway in front of the Oyster Quay development.

10/06/027 [] **Coverack Way** – See confidential minutes

10/06/028 **Tintagel Way Parking Bays** – Countrywide advised the Board that it has obtained confirmation from the Land Registry of the allocated parking bays for 60-68 Tintagel Way. It has met the contractor on site and agreed the scope of works to be carried out to the parking area. A work order has been raised and a letter will be sent to the Shareholder concerned accordingly.

A Director commented that as well as notifying the Shareholders concerned, a letter should be sent to the garage owners to inform them of the works and the changes to the parking area.

5. WORKING GROUP REPORTS

Finance

10/06/029 The Finance Working Group informed the Board that the sinking fund deposit of £200,000 in Barclays Bank had matured and been returned to Countrywide, who as a result had obtained the latest interest rates for the Board's consideration.

Countrywide advised that Barclays Bank was offering a rate of 0.75% for a 6 month deposit and 1.28% for one year whereas Natwest Bank is only offering between 0.4 and 0.65%.

The meeting discussed the possibility of the Bank of England increasing the interest rates whilst the money is situ and it was recommended that it be deposited with Barclays for a period of 6 months. The matter can be reconsidered after this time if new interest rates have been published.

The Board endorsed this recommendation and asked Countrywide to make the necessary arrangements.

10/06/030 **Pontoon Insurance** – Countrywide advised the Board that it had received the renewal documents from Royal Sun Alliance through the brokers Bluefin with regards to the pontoon marina insurance. The new annual premium has come in at £11,497.50 including IPT.

A Director informed the Board he had obtained a comparative quote from Allianz through Absolute Insurance Brokers with an annual premium of £6,995.00. The Board approved the comparative quote. Ian Currie proposed, and Nick Hewitson seconded.

10/06/031 **Public Liability Insurance** – Countrywide advised the Board that it had received the renewal documents for the public liability insurance with an annual premium of £1,295.71 with an indemnity of £2,000,000.

A Director commented that the indemnity should be increased to £5,000,000. The

Board asked Countrywide to obtain a revised quotation from Gill Noble Insurance Brokers and also seek a comparative quote from Absolute.

Covenants

- 10/06/032 [] **Tintagel Way** – The meeting discussed the routing of the pipe work on the exterior of the property that has yet to be moved as previously agreed with the owners following complaints from neighbouring properties.

The Board asked Countrywide monitor the situation and in the meantime to write to the owners and seek an update from them on the progression of works.

Gardening

- 10/06/033 The Gardening Working Group asked Countrywide to chase Hambrooks for a completion date for the works on the D-Section of Holywell Drive.

Website & Shareholders Communications Working Group

- 10/06/034 **Website Rejuvenation** – The Communications Working Group advised the Board that it had held a meeting with Apollo to discuss the rejuvenation of the website and is awaiting receipt of their proposal.

Countrywide commented that the website would benefit from being organized by topic to allow viewers to look in one section to obtain all the relevant information they required.

- 10/06/035 **Monthly Newsletter** – The Communication Working Group advised the Board that a draft of this month's newsletter will be circulated amongst the Directors in due course.

Berthing

- 10/06/036 Nothing further to report

Security

- 10/06/037 Nothing further to report

Television

- 10/06/038 The Television Working Group informed the Board that it had received a letter from the owner of [] Carne Place enclosing an article printed in the Telegraph Newspaper, stating that action can be taken to ask the Land Tribunal to remove restrictive covenants. The query was raised as to whether POSOL could use this route to remove the requirement to provide the four terrestrial television channels.

The meeting discussed the article and will review POSOL's position regarding their obligation to provide the four terrestrial channels in respect of the planned switch off in 2012. POSOL will confer with legal counsel prior to a final decision being made.

ANY OTHER BUSINESS

- 10/06/039 **Car Parking in Carne Place** – Countrywide advised the Board that it had received several reports of inconsiderate parking in Carne Place, whereby non-residents working in the offices on the Portway, are parking in the area and in particular on the pavements.

The Shareholders have been advised that POSOL is aware of the matter but due to the road being Adopted Highway it has no enforcement powers and recommends that all vehicles are reported to the police.

They have also written to the companies concerned Groupama and Aker Solutions, to request their employees refrain from doing so as they are causing an obstruction to the residents. Both companies extended their apologies for the actions of their employees. However the problems now seem to have shifted from Carne place to Sennen Place.

A Director commented that he had witnessed vehicles driving through the estate and then parking on the sleeping policeman leading into Sennen Place and then walked to the offices from there. Several employees from the Sunsail office have also taken to parking in Carne Place and Lock View.

A Shareholder contacted Portsmouth City Council with regards to the matter and informed Countrywide that during the conversation with the Council she was advised that they will investigate introducing a permit parking system across the estate with parking restrictions.

7. DATE OF NEXT MEETING – 17 July 2010