

**POSOL RESIDENTS MANAGEMENT COMPANY LIMITED**

**MINUTES OF THE BOARD MEETING  
HELD AT  
QUAYSIDE, PORT SOLENT – 19<sup>th</sup> NOVEMBER 2010**

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

In attendance: Samantha Simpson  
Nikki Avis

**1. APOLOGIES**

10/11/001 Apologies were received from Barry White.

**2. MINUTES OF THE PREVIOUS MEETING HELD ON 15<sup>th</sup> OCTOBER 2010**

10/11/002 Typographical and content amendments were made to the minutes following which typographical and content amendments were made to the minutes, in particular to item 10/10/015. The Covenants Working Group was asked to review this point and submit the revised wording for approval by the Board of Directors at the following Board meeting.

**3. MATTERS ARISING**

10/11/003 A Director asked Countrywide if it was able to clarify whether service charge arrears are classed as a liquidated debt. Countrywide informed the Board that it had yet to look into the matter but would report to the Board in due course.

**4. MANAGING AGENTS REPORT**

**Finance – Budget – Expenditure**

10/11/004 Countrywide advised the Board that expenditure as at 11<sup>th</sup> November 2010 was £283,209.10 against the budgeted figure of £316,702.

10/11/005 A Director asked for clarification on whether the pontoon repairs will be carried out in this financial year. Countrywide advised that it had made the necessary arrangements and that the repairs were due to commence very shortly.

10/11/006 A Director asked for clarification on whether an allowance had been made in the communications budget for the rejuvenation and maintenance of the POSOL website. It was explained that a provision for these works had been included in the budget.

**Arrears**

10/11/007 Total arrears including all aged debts as at 31<sup>st</sup> October 2010 amount to £10,960.50.

10/11/008 [ ] **Tintagel Way** – See confidential minutes

- 10/11/009 [ ] **Coverack Way** – See confidential minutes
- 10/11/010 [ ] **Tintagel Way** – See confidential minutes
- 10/11/011 [ ] **Coverack Way** – See confidential minutes
- 10/11/012 [ ] **Tintagel Way** – See confidential minutes

### Property Alterations

- 10/11/013 [ ] **Newlyn Way** – Countrywide advised the Board that it had written to the owner to inform him that POSOL consent has not been granted for his proposed alterations, and the matter will not be considered any further until POSOL is in possession of scaled drawings for the alterations.
- 10/11/014 [ ] **Tintagel Way** – The Board discussed the conditional permission for alterations granted on 27 November 2009. The Board agreed that due to the non compliance, the permission will be withdrawn with immediate effect.
- 10/11/015 [ ] **Tintagel Way** – Countrywide advised the Board that it had visited the property on 3<sup>rd</sup> November 2010 and had noted that window frames on the rear elevation of the property had still not been painted. Furthermore it had not received a response to its letter requesting a time frame of when the works are to be completed.
- The Board discussed the matter and asked Countrywide to write to the owner to advise that unless the works are carried out within the next 60 days, POSOL will have no alternative but to withdraw its consent as the condition of the windows is a breach of covenant.
- 10/11/016 [ ] **Bryher Island** – Countrywide advised the Board that it issued a letter to the owner to inform him that POSOL consent had not been granted on the basis that the proposed alterations would leave insufficient car parking space in the car port at the property. To date no response had been received from the owner.
- 10/11/017 [ ] **Kelsey Head** – Countrywide informed the Board that the owner had provided further details regarding the new front door to the porch, it will be a three quarter glazed door with a dark stained brown wooden frame. The information had subsequently been forwarded to the Covenants Working Group for its consideration.
- The Group advised the Board that it had reviewed the submitted plans and could see no reason why consent should not be granted. As such POSOL consent was formally issued on the 28<sup>th</sup> October 2010, and this was duly endorsed by the Board.
- 10/11/018 [ ] **Sennen Place** – Countrywide advised the Board that it had written to the owner to inform him of the Board's comments and recommendations and had yet to receive a response.

It was commented that the works had already been carried out and that the decking extended out beyond the end of the balcony line and has glass panels running along the end running parallel to the capping. It was agreed that the Covenants Working Group would take a look at the file and report back to the Board.

10/11/019 [ ] **Newlyn Way** – Countrywide advised the Board that it had written to the owner to inform them of the concerns raised by the Covenants Working Group over the possible use of glass bricks or a glazed panel in the new stud wall of the car port.

The owner had confirmed that they did not have any intention of using glass bricks or installing a window in the new wall. Upon the Group's recommendation to approve the works it was agreed that consent be issued.

10/11/020 [ ] **Newlyn Way** – The Covenants Working Group advised the Board that it recommended that retrospective consent be granted to the owner for a loft conversion carried out in 2003.

The Board endorsed this recommendation and upon receipt of the relevant fee, consent was issued on 10<sup>th</sup> November 2010.

10/11/021 [ ] **Bryher Island** – Countrywide advised the Board it had received an application from the owner to install a Velux window in the roof space on the front elevation and to extend the driveway by partially removing the landscaped area shared with [82] Bryher Island.

The Covenants Working Group advised the Board that it had reviewed the submitted plans and could see no reason why consent should not be granted for the installation of a Velux window in the roof. However, it did have concerns over the extension of the driveway and the Gardening Working Group was asked to share its views on the proposal.

The meeting discussed the application and it was agreed that allowing the owner to extend the driveway in this instance would mean an unacceptable loss of landscaping on the estate. If more Shareholders applied to do so it would be highly detrimental to the appearance of Port Solent. After due consideration, consent for this was refused. The installation of the Velux window was approved.

10/11/022 [ ] **Carbis Close** – The Covenants Working group advised the Board that it had discussed the glass bricks which the owners have installed alongside the new front door following a car port alteration. These bricks were not included in the submitted application and constitute an unapproved change of appearance. As such the Group recommended that permission granted for the alterations be withdrawn.

The Board discussed the matter and asked Countrywide to write to the owners to advise them that the glass bricks should be removed and the wall made good within the next 60 days or POSOL will withdraw its consent.

10/11/023 [ ] **Cadgwith Place** – Countrywide informed the Board that it had received an application to carry out an under balcony kitchen extension, which includes the installation of full width patio window to mirror the alterations carried out at [16] Carbis Close.

The Covenants Working Group advised the Board that it had reviewed the submitted plans and could see no reason why consent should not be granted subject to the normal terms and conditions relating to this type of alteration. The Board endorsed this recommendation.

### **Gardening**

10/11/024 [ ] **Holywell Drive** – Countrywide advised the Board that it had received confirmation from the owner that he no longer wished to pursue the matter.

10/11/025 [ ] **Coverack Way** – Countrywide advised the Board that the licence had been finalised by Verisona Solicitors and was pending signature of the relevant parties.

### **Berthing**

10/11/026 **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.

A meeting has been arranged for the 24<sup>th</sup> November 2010 between both Verisona Solicitors on behalf of POSOL and Blake Laphorn Solicitors on behalf of Premier Marinas to discuss this matter further and clarify the position of both parties accordingly.

10/11/027 **Berth [ ] and [ ]** – Countrywide advised the Board that it and the Berth Working Group had met with Solent Marine and that a work order has been issued for them to remove, replace and test 10 randomly selected bolts.

Countrywide informed the Board that Solent Marine has quoted £1,700.00 to carry out a full condition survey of all 155 pontoon structures which will include deck boards, fittings and wall fixing etc. Countrywide asked the Board to confirm whether it wished to carry out survey.

The proposal for Solent Marine to carry out a full condition survey was approved by the Board. Nick Hewitson proposed and Ian Currie seconded.

10/11/028 **Berth [ ] and [ ]** – Countrywide advised the Board that consent by the owner of berth [ ] has not been granted for the trespass into his water space by the vessel situated on Berth [ ]. All relevant parties have been notified in writing that the vessel will not be register red and must be removed from the berth by 7<sup>th</sup> December 2010.

Countrywide has advised Premier Marinas accordingly, who will carry out a visual inspection of the mooring on December 7<sup>th</sup> 2010 to determine whether the vessel has left the Marina.

10/11/029 **Oversized Vessel Applications** – Countrywide informed the Board that it has received applications from the owners of berths [ ], [ ], [ ], [ ] and [ ] to moor vessels longer than 11m. The applications have been referred to and are under consideration by Premier Marinas.

10/11/030 **Berth [ ]** – Countrywide advised the Board that Premier Marinas, having considered the application for Berth [ ], has refused consent for the over length vessel due to concerns over navigational safety. The Boat Owner has since requested that the matter be reconsidered with the vessel being moored on Berth [ ], with the berth owner’s consent. Countrywide has advised the owner of [ ] that the covenants on both Q and R Berths prohibit the licensing of the berth unless the boat owner is a tenant of the property to which is allocated and therefore, POSOL will not be able to register the vessel to berth [ ].

10/11/031 **Berth [ ]** – Countrywide informed the Board that Premier Marinas, having considered the application from the owner of berth [ ] has refused consent for an over length vessel on the berth due to concerns over navigational safety in the Marina.

10/11/032 **Berth [ ]** – Countrywide advised the Board that Premier Marinas has refused consent for an over length vessel on the berth due to concerns over navigational safety. A Director commented that he understood that the owner had previously obtained written permission from Premier Marinas and on that basis the vessel has already arrived in the Marina. Countrywide will look into matter and report back to the Board accordingly.

10/11/033 **Berth [ ]** – Countrywide advised the Board that it had received a Boat re-Registration Form and re-License form for the vessel situated on Berth [ ]. However, concerns have been raised by the owner of the neighbouring Berth [ ] that the vessel currently trespasses into his water space. This has previously not been an issue but he may be looking to moor a vessel on his berth in the future and would therefore like full use of his demised water space.

A Director commented that the berth was subject to the covenants of a Q Berth and as such, it should not be Licensable. Countrywide advised that the owner of the vessel currently rents the attached property and therefore does not contravene the covenants.

The Berth Working Group is to take a look at the issue of the trespass and report back to the Board accordingly.

10/11/034 **Berth [ ]** – Countrywide advised the Board that the over sized vessel application had been referred to the Berth Working Group for consideration since there is a possible trespass into the neighbouring water space.

#### **Estate Security**

10/11/035 **Marina Safety Ladders** – Countrywide advised the Board that the work order had been issued for the final phase of health and safety works required to the ladders and pontoon piles.

A Director commented that he had advised Countrywide that he felt the ladder due to be located on berth [ ], should be relocated to berth [ ] due to there currently being a marina ladder situated on the marina wall in the immediate vicinity of berth [ ]. A member of the Security Working Group confirmed that he had no objections to this and asked Countrywide to notify the contractor accordingly.

A Director commented that the owner of the vessel situated on berth [ ] is currently securing it to the marine safety ladder which is causing the ladder to become loose and could potentially cause damage to the Marina Wall. The meeting asked Countrywide to address this matter with the owner and Premier Marinas and report back to the Board.

#### **General**

10/11/036 **Proposed Closure of the Pathway between Oyster Quay and Port Solent** – Countrywide advised the Board that a meeting took place between POSOL and Oyster Quay to discuss the proposed plans for a gate.

A Director advised that Oyster Quay put forward a good case for the installation of a gate. There are two proposals: one to position the gate on the pathway at the boundary of POSOL and Oyster Quay land. The other is to site the gate adjacent to [ ] Coverack Way. The latter would also increase the security of that property as well as prevent people accessing the area by the pathway alongside the property.

It was commented that the owner of [ ] Coverack Way has no objections to the gate being installed adjacent to his property but in the future he will look to extend the property so the design of the gate must take into account the potential change in appearance.

The Board discussed the details of how the gate would be secured, how it would be controlled, and who would manage it. Countrywide informed the Board that the likely method would be a key pad with a code that would be changed on a quarterly basis.

POSOL had suggested Oyster Quay could install a fence along the edge of the marina to prevent unauthorised swimming and access that it had itemised in its incident list. Due to the expense and the detriment to the visual effect a fence will cause, Oyster Quay feel a gate is the best solution. POSOL commented that the height of the fence Oyster Quay is proposing to install will not stop youths accessing the area as they will simply climb over it and anti vandal paint can not be used as a deterrent due to the height of the gate being under the statutory two metres.

A Director asked the Board to consider whether it wants to allow Oyster Quay to install the gate or challenge their proposal. A majority of the Board objected to the gate and it was agreed to challenge the proposal.

The meeting agreed that it will monitor the situation and once a planning application has been submitted, it will formally oppose any hindrance to the free flow of pedestrian access through the pathway.

10/11/037 **Portsmouth City Council Parking Proposals for Lock View** – Countrywide advised the Board that the parking restrictions in Lock View came in to force on the 8<sup>th</sup> November 2010.

10/11/038 **Proposed Double Yellow Line Marking in Tintagel Way** – Countrywide advised the Board that Portsmouth City Council had withdrawn its proposal to paint double yellow lines in Tintagel Way following objections from residents in the area which included one from the original complainant.

10/11/039 **Remote Mooring Gate adjacent to [ ] Cadgwith Place** – Countrywide proposed to the Board that an effective solution to the problem would be to close off the existing gate and relocate it to on Bryher Bridge in a similar position as the gate alongside [ ] Tintagel Way.

The Board approved the proposal and Countrywide advised that it will make the necessary arrangements to meet the fencing contractor on site to discuss the options.

## 5. WORKING GROUP REPORTS

### Finance

10/11/040 **Port Solent Charge Review** – A Director advised the Board that POSOL will meet with Premier Marinas on 25<sup>th</sup> November 2010 to discuss the review in an attempt to get a reduction in the proposed figure for the next financial year and will report back to the Board at next month's meeting.

### Covenants

10/11/041 The Covenants Working Group advised the meeting that it will be meeting on the 10<sup>th</sup> December 2010 to discuss any applications for change of external appearance and will report back to the Board at the next meeting.

10/11/042 [ ] **Newlyn Way** – See confidential minutes

10/11/043 [ ] **Coverack Way** – The Covenants Working group advised the Board that it had visited the property to review the external changes the owner has applied to carry out. The group commented that the alterations were no different to others carried out on the estate but it will be asking the owner to use a fixed Velux with a vent in the bathroom as otherwise the neighbouring property's shower room will be overlooked.

10/11/044 Countrywide asked for the Board's consideration to revise the 'Change of external appearance' procedure to allow final consent to be granted with a signing off certificate such as those issued by Council Planning Departments, which will prevent POSOL having to withdraw consent if the completed project differs from the submitted plans.

The Covenants Working Group agreed to consider Countrywide's proposal, review the procedure and report back in due course.

### Gardening

10/11/045 **D-Section in Holywell Drive** – The Gardening Working Group advised the Board that the plans for the final works had been agreed and that Hambrooks has been instructed to install log fencing as previously discussed.

10/11/046 The Gardening Working Group asked Countrywide to chase Hambrooks for the completion date for the agreed schedule of works.

10/11/047 The meeting discussed the proposal to relocate the anchor situated at the entrance to Coverack Way to a more prominent position. The Gardening Working Group will consider the proposal and report back to the Board in due course.

10/11/048 [ ] **Bryher Island** – Countrywide advised the Board it had received an application from the owner to put an anchor from a decommissioned ship in the front garden of his property.

The Board commented that it would review the application upon receipt of the photos and dimensions of the anchor and confirmation that the owner will cover any costs incurred. Furthermore it must be noted that he would be responsible for all maintenance of the anchor.

### Website & Shareholders Communications Working Group

10/11/049 **Website Rejuvenation** – The Communications Working Group informed the Board that Countrywide has the final specification for the redesign of the website and that it will be sending out the necessary tender documents to seven web design companies.

Countrywide asked the Board for its confirmation whether it is able to disclose the log in details for the Shareholders section of the website site to the companies who have

been has asked to tender. The Board discussed the matte and after due consideration, agreed that the details could be divulged to these companies.

10/11/050 **Monthly Email Newsletter** – The Communications Working Group informed the meeting that the email will be ready for distribution next week. It was agreed that an additional reminder for the Annual General Meeting should be included.

### **Berthing**

10/11/051 **Berth [ ] and [ ]** – See confidential minutes

### **Security**

10/11/052 Countrywide advised the Board it had received a complaint from [ ] Tintagel Way regarding people fishing on Bryher Bridge. Using the road sign adjacent to the garden wall of [ ] Tintagel way as a foothold to get over the wall and security gate. The complainant asked the Board to consider moving the road sign to prevent this re-occurring.

The Board discussed the cost implications of moving the sign and agreed to consider alternative solutions.

### **Port Solent Community Working Party**

10/11/053 Nothing further to report

## **6. ANY OTHER BUSINESS**

10/11/054 **Annual General Meeting** – The meeting discussed the upcoming AGM and the Board asked Countrywide to confirm that all of the necessary arrangements had been made.

10/11/055 **Car Port Policy** – The Covenants Working Group asked the Board if it had any comments on the redrafted Car Port Policy it had previously circulated. The meeting discussed the policy and agreed that it be adopted. Michael Slack proposed, Nick Hewitson seconded. The Board endorsed this and the revised policy was duly signed off by the Company Secretary.

The Group asked the Board to consider whether the redrafted car port policy should be circulated to the Shareholders. In response it was agreed, that it should be notified in the monthly email and discussed following the close of formal business at the AGM.

10/11/056 **External Paint Colours** – The Covenants Working Group asked the Board to approve the external paint colours chart prepared by Ken Raby so that it could be added to the POSOL website. The meeting agreed that it can be uploaded and it expressed its sincere thanks to Ken Raby of [ ] Bryher Island for the final product and the hard work he put into achieving it.

The Group then asked the Board to consider a request it had received from a member of the Covenants Working Group to obtain further information from the covenants pertaining to houses in each individual phase of the estate by way of looking through the documentation held by Countrywide.



The Board considered the request and it was agreed that he will be allowed access to a sample of twelve files, and may use these to carry out his review.

10/11/057      **Television Supply** – The meeting discussed the two complaints it had received from Shareholders with regards to the proposed analogue signal switch off in 2012 and the intended action of the Board.

7.      **DATE OF NEXT MEETING** – 17<sup>th</sup> December 2010