

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

MINUTES OF THE BOARD MEETING HELD AT QUAYSIDE, PORT SOLENT - 17TH JUNE 2011

Present: Nick Hewitson (Chairman)
Ian Currie
Andy Gerry
Mike Sandall
Reg Sillence
Barry White

In attendance: Samantha Simpson
Mark Abrams of Interpro Technology for item 11/06/037

1. APOLOGIES

11/06/001 Apologies were received from Mike Slack and Nikki Avis.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH MAY 2011

11/06/002 The minutes of the previous meeting were discussed and approved. Reg Sillence proposed and Mike Sandall seconded.

3. MATTERS ARISING

11/06/003 The Board discussed matters arising from the minutes of the May Board meeting;

- i. 11/05/015 Countrywide advised that consent for the works to convert the properties into one single dwelling was granted by POSOL in 2008.
- ii. 11/05/031 Countrywide advised it has been unable to obtain any further information from the contractor but would continue to pursue the matter accordingly.
- iii. 11/05/043 Premier Marinas had been provided with information necessary to carry out its marina checks and Countrywide would contact them to determine if the inspection had been carried out.
- iv. C11/05/012 The Chairman advised that he had taken the decision to dis-instruct Allens Solicitors in this matter and appoint a new firm of solicitors since Allens had failed to take the appropriate action in the recovery of service charge arrears in a timely fashion.

4. MANAGING AGENTS REPORT

Finance – Budget – Expenditure

11/06/004 Countrywide advised the Board that expenditure as at 6th June 2011 was £144,018.10 against the budgeted figure of £160,362.

11/06/005 Countrywide advised that it was currently in the processing of migrating its accounting systems from one package to another and as such all accounts postings and expenditure had been temporarily suspended.

Arrears

11/06/006 Total arrears including all aged debts as at 31 May 2011 amount to £16,024.31

Property Alterations

11/06/007 [] **Bryher Island** – Countrywide advised the Board that the application was still ongoing and that the issues of loss of parking and landscaping had yet to be resolved. The owner still had to provide the Covenants Working group with further information regarding the proposed works.

The Board was advised that the owner had requested confirmation as to whether his proposals to install velux windows to the front and rear elevations had been granted consent.

The Covenants Working group has discussed the owner's request but feel that the application must be considered as a whole and that it was unable to issue consent on a point by point basis. The POSOL Board share this opinion.

11/06/008 [] **Bryher Island** – The Covenants Working Group, having studied the owners application for consent to carry out a loft conversion at the property, recommended that conditional approval be granted. This decision was endorsed by the Board of Directors.

11/06/009 [] **Bryher Island** – Countrywide advised the Board that the matter was still ongoing and that the Covenants Working Group was awaiting submission of a formal application for consent for the works from the owner of the property.

11/06/010 [] **Bryher Island** – The owner has challenged some of the terms and conditions imposed by POSOL with regard to issuing consent for the loft and carport conversion. It has therefore been agreed that the Covenants Working group will meet with him to discuss the matter further.

11/06/011 [] **Newlyn Way** – The Covenants Working Group, having now received a revised front elevation plan for the works to carry out a loft conversion at the property, recommended that conditional approval be granted. This decision was endorsed by the Board of Directors.

11/06/012 [] **Newlyn Way** - The owner's application for consent has been considered by the Covenants Working Group. Concerns have been raised over certain aspects of the proposed works in particular the owner's proposal to install vertical glass panels on either side of the newly positioned front door. The Covenants Working group informed the Board that it had met with the owner. The owner has been advised that consent for vertical glass panels will not be granted and as such he has agreed in writing to install a solid stud wall around the door.

After due consideration the Board agreed to approve the proposed works to the carport subject to the usual terms and conditions in respect of this type of alteration. Countrywide to issue the relevant letter of consent accordingly.

11/06/013 [] **Bryher Island** – The Covenants Working Group advised the Board that it had received a preliminary application for consent from the owners to build an orangery at the property within their enclosed courtyard garden.

The Covenants Working Group, having studied the owner's application, recommend that conditional approval be granted, subject to the existing boundary wall adjacent to the proposed orangery being raised by 3 courses of matching bricks and that the existing clay tile and brick feature be reinstated on top of the new courses.. This decision was endorsed by the Board of Directors.

11/06/014 [] **Bryher Island** - The Covenants Working Group, having studied the owners application for consent to install a set of 3 Velux windows, one of which will be a Velux Cabrio window, on the south facing elevation, recommended that conditional approval be granted. This decision was endorsed by the Board of Directors.

Gardening

11/06/015 **Portway Vegetation** – Countrywide advised that the results of the soil testing carried out by ACS Environmental Limited had not revealed any signs of soil or bacterial contamination of the area. Furthermore since there were no visible signs of pathogens or pests, there was no explanation as to why a large area of shrubbery and mature trees had died back.

Countrywide advised that it had written to Southern Water requesting an on site meeting but that it did not hold much hope of this taking place. It was agreed therefore that the Gardening Working group would monitor the area and determine in due course whether the area should be replanted.

11/06/017 [] **Bryher Island** – Countrywide advised the Board of a complaint it had received from the owner regarding his recently replanted front garden. The owner was not happy with the type of plants or their positioning and has requested for them to be removed and a shingle/stone garden to be put in their place.

Hambrooks having viewed the gardens do not believe that the owners' proposals are compatible with the area of garden at the adjacent property. Furthermore, POSOL feels that the type of planting is in keeping with that in the area. It was agreed that POSOL would not pay for any further rejuvenation of the garden and that the Gardening Working group should meet with the owner to discuss his complaint and inform him of POSOL's position on the matter.

11/06/018 [] **Cadgwith Place** – Countrywide advised that the owner of the property had applied for POSOL consent as he was intending to install an electricity supply to his garage. The supply would need to run off The Portway and cross over POSOL land. Countrywide, having approved the route, was awaiting confirmation of the contractor carrying out the works so that the necessary easements could be drawn up.

Berthing

11/06/019 **Residential Berth Lengths** – The POSOL Chairman informed the Board that he had received a response from Trevor Allen of Premier Marinas in respect of the questions raised by POSOL and proceeded to read the content to his fellow Directors.

Premier Marinas has refused POSOL's suggestions with regard to maximum boat lengths and the leasing of additional water space and has advised that it will be implementing its previously announced procedures with over-length vessels in its waterspace very shortly.

The Chairman asked Countrywide to write to Premier Marinas seeking clarification on the notice period issue and report back to the Board once this had been received, whereupon POSOL would notify all berth owners accordingly.

11/06/020 **Port Solent Charge Review** - The POSOL Chairman informed the Board that he had received a response from Richard Smith of Premier Marinas in respect of the questions raised by POSOL about the Charge Review and proceeded to read the content to his fellow Directors.

He was pleased to advise that Premier Marinas has agreed to reduce the annualised toilet block costs by 50% reducing the proposed base charge from £556,105 to £541,815. A Director proposed that POSOL writes to the two shareholders who participated in reviewing the charge to thank them for their time and hard work.

11/06/021 **Pontoon Condition Survey** – Countrywide advised that it had been in communication with Solent Marine Limited arranging a start date for the works and would report back to the Board in due course.

It advised that the majority of works could be carried out with boats on their respective berths. The contractor would identify those pontoons needing to be vacated and these works would be arranged accordingly with the berth and boat owners directly affected.

11/06/022 **Berth [] Attempted unauthorised sub-let** - Countrywide advised the Board that it was aware that a POSOL shareholder, acting as a tenant, was attempting to sub-let a berth he did not own in direct breach of the POSOL covenants and berthing regulations.

The Board discussed the matter and agreed that the boat would not be registered with POSOL. Since its presence on the berth has resulted in further breaches of security and unauthorised use of Premier Marinas capping of which both the berth owner and POSOL shareholder sub-letting the berth are aware, then Premier Marinas will be notified accordingly. POSOL recommends that the boat be removed from the berth to the public area of the marina with immediate effect.

Estate Security

11/06/023 [] **Coverack Way** – The Security Working Group advised that it had taken no further action in the matter since any decisions/actions were dependent on the erection of gates at Oyster Quay flats.

11/06/024 **Estate Security Gates** - Countrywide advised that it was liaising between CIA Locksmiths and GSB Fabrications with regard to the proposed works and that it would report back to the Board in due course with a start date for the fitting of the new locks.

General

11/06/025 **Pathway between Oyster Quay and Coverack Way** – Countrywide advised the Board that Oyster Quay Management Company Limited had obtained Portsmouth City Council Planning Consent for the gates.

The Board discussed the matter and raised its concerns with regard to how access through the gates would be afforded to its shareholders. It was agreed that an informal meeting be set up between the Covenants and Security Working Group and representatives of Oyster Quay to discuss this matter in further detail. The groups would then report back to the Board in due course.

11/06/026 [] **Newlyn Way** – The Board discussed the owner's claim against POSOL for compensation. After due consideration, the Board advised that it did not feel that the shareholder has a legitimate claim and therefore his claim for reimbursement of legal expenses was rejected. The POSOL Board will not be taking any further action in the matter.

5. WORKING GROUP REPORTS

Finance

11/06/027 The Company Secretary asked the Board to give due consideration to whether it wished to increase the Sinking Fund provision from 3% to 4% in the accounts for the year ended 31st March 2011. It was agreed that this would be added as an item on the July Board meeting agenda for further discussion.

Covenants

11/06/028 [] **Cadgwith Place** – Countrywide advised the Board that the owners had applied for POSOL consent to replace their first floor patio window on the rear elevation of the property. The owners had provided plans and a product specification, and satisfied that this was a standard alteration, Countrywide would be issuing conditional approval on behalf of POSOL.

11/06/029 A Director advised that the Covenants Working Group was discussing the need for the Managing Agent to attend each of its monthly meetings. The group feels that it would be beneficial for the managing agent to be present to maintain continuity and an open discussion of each application to alter. The Managing Agent has raised concerns however its expected attendance at an additional 12 meetings a year are not provided for within the management agreement and such regular meetings may extend to other POSOL working groups over time. Regular attendance at such meetings is not covered by the existing management contract and if the property manager is to be in attendance then it may have to raise an additional charge.

Gardening

11/06/030 The Gardening Working Group advised that it continued to work to a planned list of works across the estate.

11/06/031 A Director reported that an area of fencing in Coverack Way was broken and in need of repair. Countrywide to appoint a contractor accordingly.

11/06/032 [] **Bryher Island** – A Director asked if the Gardening Working Group had made any decision with regard to the lawned area at his property. Various treatments have been tried to improve the lawn over the last 3 years but the results are still not satisfactory. After due discussion, the Board agreed that the area of existing turf be removed in the autumn when the weather conditions were deemed suitable by the gardening contractor and new turf would be laid. Countrywide to instruct Hambrooks to proceed with the works accordingly.

Communications

11/06/033 The group advised that Interpro Technology had been invited to attend the Board meeting and present the new design of the website to the Board.

Berthing

11/06/034 **Berth []** - The Chairman advised the Board that the owner of the berth was in regular email correspondence with Premier Marinas solicitors, Blake Laphorn, and that POSOL had been copied in on the emails.

The Board discussed the matter and agreed that no further POSOL action was required. Should the Shareholder concerned believe he has a legitimate claim then he should continue to pursue the matter directly with Premier Marinas.

Security

11/06/035 **Estate Parking** – A Director commented that an increasing number of vehicles were now parking on Bryher Bridge. Another Director commented that parking around the estate was an increasing problem and that other areas of the estate, notably Carne Place, Kelsey Head, Carbis Close, Newlyn Way and Cadgwith Place were worse affected. This appeared to be a direct result of the Traffic Regulation Order imposed along the length of Lock View.

Countrywide advised the Board that Portchester Planning Consultancy had already been appointed by the Board to write to Portsmouth City Council on POSOL's behalf requesting that the order be lifted to ease the parking situation on the estate.

The Board discussed the TRO proposal for Carne Place and agreed that it was a good idea to put double yellow lines down in this particular area as the parking of vehicles by local office workers in this area, resulted in difficult and dangerous conditions for other road users using the junction.

Port Solent Community Working Party

11/06/036 Nothing further to report.

6. ANY OTHER BUSINESS

11/06/037 The Board welcomed Interpro Technology to the meeting to present its proposals for the new POSOL website.

The Directors were generally pleased with the layout and functionality of the new site. Final adjustments will now be made to the site and its content with a view to it going live within a month. The previous site will remain in situ until the new one is ready to be launched.

A Director thanked Countrywide for its input and involvement in the design of the new site, and this was endorsed by the Board.

11/06/038 Countrywide advised that there were a number of changes taking place within the company at present. Martin Growse, Branch Manager of the Fareham office had been promoted to Area Manager for the Southern Region. In turn, Samantha Simpson had been promoted from Senior Property Manager to the position of Branch Manager. She advised that she would continue to manage POSOL matters but that the remainder of her property portfolio and clients would be transferred to a new property manager. She would continue to be assisted in POSOL matters by Nikki Avis.

The Accounting system for the Fareham Office was also currently being migrated from one system to another and that there was a down time of 2 weeks during which all accounting issues, including expenditure and payment receipts had been temporarily suspended until all data had been successfully migrated. Countrywide advised that this should not have any adverse affect on POSOL shareholders.

Furthermore, Countrywide will shortly be notifying all POSOL shareholders of the new charges it will be imposing on those who fail to pay their service charges or those who fail to do so within the terms clearly set out in their the property covenants. The charges cover additional administration costs that Countrywide incurs in the pursuit of the arrears on behalf of its client. Since the majority of POSOL shareholders pay their charges on time and without incident they should not be affected by the introduction of these charges.

7. DATE OF NEXT MEETING – 15th July 2011