

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

**MINUTES OF THE BOARD MEETING
HELD AT
QUAYSIDE, PORT SOLENT – 18TH MAY 2012**

Present: Nick Hewitson (Chairman)
Ian Currie
Tony Charles
Mark Abrams
Mike Sandall
Andy Gerry
Barry White

In attendance: Samantha Simpson
Peter Williams
Nikki Avis

1. APOLOGIES

12/05/001 No apologies received.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH APRIL 2012.

12/05/002 Typographical amendments were made to the minutes following which the minutes were approved. Ian Currie proposed and Tony Charles seconded.

3. MATTERS ARISING

12/05/003 A Director commented that the managing agents report did not provide a detailed breakdown of the action taken by Countrywide in pursuing the outstanding arrears from shareholders. Countrywide responded that it had outlined all the information in the comments section of the arrears report but going forward it would include details relating to phone calls, emails/letters etc and it confirmed that it would undertake a regular review of the arrears in conjunction with the credit control department.

12/05/004 Berth [] and [] – A Director advised the Board that he had received several emails in respect of the vessel currently situated on berth [] and the issue of trespass into the neighbouring water space. The Board commented that it feels there is no issue of trespass into the neighbouring water space and therefore the vessel has been duly registered.

The Board asked Countrywide to write to the owner to inform him definitively that the matter is now closed and no action will be taken by POSOL.

A Director informed the Board that he had been advised that the dispute between the above neighbours has escalated as the owner of [] is now parking on the neighbours driveway and has caused damage to the plants that are in situ.

The meeting discussed the changes that the owner has made to the front garden by replacing the plants with shingle and the Gardening Working Group asked Countrywide whether it had granted consent for such changes. Countrywide advised the Board that the owner of [] maintains his own front garden and that due to the changes not being irreversible then consent is not required.

The Board discussed the matter at length and agreed that the matter is that of neighbour dispute and therefore POSOL has no jurisdiction to intervene.

12/05/005 [] **Cadgwith Place** – A Director advised the meeting that he believes that the works carried out at the property differ from the plans submitted by the owner and was the basis for consent being granted.

The meeting discussed the property alterations whilst reviewing the plans, and the Covenants Working Group advised that it would visit the property and report back to the Board in due course.

4. MANAGING AGENTS REPORT

Finance – Budget – Expenditure

12/05/006 Countrywide advised the Board that since the start of the financial year that aside from general expenditure, it had processed invoices for CIA to supply additional keys for the remote mooring gates and there had been several call outs for Southern Aerials.

A Director asked for clarification on POSOL's remit in respect of providing television services to the estate. Countrywide advised that the older part of the estate was connected to the Head End Building which provided what were formally known as the terrestrial channels. The newer part of the estate was connected to cabling which was switched off in September 2009 and as a result POSOL undertook to install digital aerials on those properties affected. It further clarified that POSOL's responsibility ends at point of entry into one aerial point into the property and should the owner wish to acquire more services then that will be the owners' responsibility.

12/05/007 Countrywide advised the Board that it had not yet received an update in respect of the Santander Bond but it would continue to chase the Leasehold Director accordingly. The Board expressed its dissatisfaction that this matter is still not resolved.

12/05/008 Countrywide produced an organisational chart showing all personnel dealing with POSOL from both the accounts team and property management team, and duly circulated a copy to all of the Directors. Upon consideration, the Board commented that it feels that due to the complex nature of POSOL it requires one point of contact who understands the estate and how it runs and also has accounts specific training.

Arrears

12/05/009 Countrywide advised the Board that the total arrears as at 11th May 2012 amount to £31, 237.07 and of this £16,797.77 relates to aged debtors and that it had recovered £3,603.02 since the last Board meeting.

12/05/010 [] **Tintagel Way** – Countrywide advised the Board that the owner of [] Tintagel Way has informed them that he is currently experiencing financial difficulties and has asked for the Board's consideration to accept an immediate payment of £250.00 then subsequently pay monthly instalments of £150.00. Countrywide clarified that this will bring his account to a zero balance by the 31st March 2013.

Upon consideration of the matter, the Board agreed to the proposed payment plan on the basis that the account is cleared by the end of the financial year. Countrywide to advise the owner that should payment default then the matter would be referred to solicitors for further action.

12/05/011 **Arrears Procedures** – The meeting discussed at length the arrears procedure currently in place and it was agreed that it would review the policy and possibly amend it accordingly.

Countrywide confirmed that going forward it will take a more personal approach to the arrears chasing, such as contacting Shareholders by telephone or email. A Director commented that for the Shareholders with long outstanding arrears an effective method to collect the money would be to attend the property to discuss the matter which may prompt the Shareholder to settle their arrears.

Following a length discussion, the Board agreed that all Shareholders with debts exceeding £750.00 will be referred to solicitors and bankruptcy proceedings will be instigated against three Shareholders who have continually failed to make any attempt to settle outstanding arrears. Countrywide commented that previous attempts to contact two of the Shareholders in question have failed as they do not live on the estate nor does it have current correspondence addresses.

A Director queried whether we can appoint a Tracing Agent to locate the shareholders in question. Countrywide confirmed that it would make enquiries in regards this matter and report back to the Board.

Property Alterations

12/05/012 [] **Tintagel Way** – The Covenants Working Group informed the meeting that it had received a letter from the owners with further information for the Board’s consideration. The Group commented that the application has not differed dramatically from the original and therefore still does not recommend consent is granted by the Board.

Following the Board’s discussions, it was proposed that the matter be put to a vote of the Board members present. One Director abstained from voting and six Directors voted against granting POSOL consent for the proposed external alterations. The Board commented that it would welcome a revised application in which the under balcony kitchen extension does not exceed the flank wall.

Gardening

12/05/013 [] **Newlyn Way** – Countrywide advised the Board that it had received the revised quote from Hambrooks for the fence works to be undertaken adjacent to [] Newlyn Way. The costs for the works are £754.20 including VAT. Upon consideration, the Board approved the quote.

12/05/014 [] & [] **Mullion Close** - Countrywide advised the Board that it had received a quote from Hambrooks for the re-turfing works be undertaken in the shared front garden of [] & [] Mullion Close as the grass seems to have a rather large burnt patch in the vicinity of the down pipe. The costs for the works are £354.84 including VAT.

The Board discussed the quotation and it was commented whether it was POSOL’s responsibility to reinstate the lawn as the cause of the damage is unknown and therefore could reoccur. The Gardening Working Group agreed to visit the property and discuss the matter with the owners, as well as proposing an alternative to turf, such as shingle.

12/05/015 [] **Bryher Island** – The Gardening Working Group advised the meeting that it had met with the owner of [] Bryher Island and the owner duly informed the Group that POSOL had previously confirmed that it would contribute towards the plants to her front garden.

Both Countrywide and the Gardening Working Group commented that it had no prior knowledge of such an agreement.

12/05/016 **Dog Fouling** – A Director advised the Board that all of the ‘dog fouling’ signs had been removed across the estate. The Board asked Countrywide to discuss the matter with Portsmouth City Council and request that they are reinstated immediately.

12/05/017 [] **Coverack Way** – Countrywide advised the Board that it was in receipt of a complaint from the owner of [] Coverack Way, who feels that Hambrooks caused damage to his front garden and destroyed the plants. He has communicated that he does not wish for his garden to be included in the routine maintenance carried out by Hambrooks or any other contractor appointed by POSOL.

Countrywide confirmed that it had updated the database accordingly which will be forwarded to Hambrooks in due course.

Berthing

12/05/018 **Berth []** – The meeting discussed the unregistered vessel currently situated on Berth [] due to concerns that have been raised as regards the boat's usage and to query why it has failed to be registered within 21 days of entering the Marina.

Countrywide advised the Board that it had contacted the owner and subsequently the Letting Agent to discuss the matter. The Letting Agent informed Countrywide that it had made the tenant fully aware of his obligations to ensure that any vessel moored on the berth needed to be registered with POSOL, and would therefore contact the tenant accordingly.

The tenant duly contacted Countrywide to advise that the vessel would be in the Marina temporarily whilst its owner recuperated from a major operation, and will be vacating the Marina within the next couple of weeks. The tenant will undertake to complete the necessary registration documents as soon as possible.

A Director commented that the vessel was significantly over length and therefore would impinge on the navigational safety for other vessels in transiting throughout the Marina. Countrywide advised that it will contact Premier Marinas to ascertain whether it will grant a licence for the vessel to trespass into its water space. The meeting commented that should the licence not be approved then it would then request that the vessel be removed from the Residential Marina.

Estate Security

12/05/019 **Security Gates** – Following a request from the Security Working Group, Countrywide advised the Board that it had received written communication from three Shareholders expressing their concerns over the security of the new gate. There have been other verbal communications from berth owners as regards obtaining additional keys.

Countrywide commented that it had chased GSB Fabrication for an update on the works to be carried out to gates 6 to 1. GSB Fabrications duly advised that due to the bad weather the works to the gates had been delayed but would be on site from 21st May 2012 to commence the next phase.

The Security Working Group responded that it felt that the speed at which the works are being completed is totally unsatisfactory and considering that there is a noticeable increase in the anti-social behaviour during summer, it is vital that these works are completed as soon as possible.

Countrywide informed the meeting that it would discuss the Board's comments with GSB Fabrications and stress that these works are to be completed as a priority.

12/05/020 **Bryher Island Bridge** – Countrywide advised the Board that the alterations to increase the security on the Bryher Island Bridge have been completed by GSB Fabrication and all the finials have been re-coated with anti-vandal paint.

General

12/05/021 **Pathway between Oyster Quay and Coverack Way** – Countrywide advised the meeting that the gates had been installed and as of the 8th May 2012, only residents with the code could transit the gates. To date, it had not been made aware of any issues relating to access, authorised or otherwise.

5. WORKING GROUP REPORTS

Finance

12/05/022 The company secretary reported that someone from Countrywide had asked our auditors to prepare accounts in accordance with TECH03/11 produced by the ICAEW – “Residential Service Charge Accounts”. In discussion with the auditors he had agreed that the current method of producing accounts comply with the statutory requirements of the Companies Act, and also detailed all the information (if not more) than would be required in accordance with TECH03/11.

The board agreed to continue to produce accounts in the same way as before.

Covenants

12/05/023 A Director commented that he had noticed during the recent months that when works are being undertaken within properties across the estate that contractors/workmen are not taking due care and are leaving ‘unsightly mess’ across the estate.

Following a lengthy discussion, the Covenants Working Group proposed that a Building Code of Practice be drafted which will issued along with any Letters of Conditional Approval.

Gardening

12/05/024 Nothing further to report.

Communications

12/05/025 The Board commented that the speed at which the minutes of the monthly Board Meeting are taking too long to be published on the website and it asked Countrywide to ensure that they were forwarded to Interpro in a timely manner.

12/05/026 A Director commented that the statistics he had received from the Communications Working Group were very informative. Countrywide asked the Group if it could receive a copy to retain on record.

12/05/027 **POSOL Website** – The Communications Working Group advised the Board that the forgotten password help icon was now up and running which when used will send an email to POSOL c/o Countrywide for the password to be supplied.

Berthing

12/05/028 **Berthing Checks** – Countrywide commented that Premier Marinas has ceased carrying out regular berthing checks within the residential part of the Marina, as a result issues within the Marina such as berth [] would have been picked up earlier and dealt with.

Security

12/05/029 **Increasing Estate Security** – A Director informed the Board that recently an incident occurred where youths attempted to gain entry to a property through the car port gates which had been left

unlocked. On this occasion the youths were unsuccessful but queried what more could be done to improve the security of the estate.

A Director proposed the possibility of installing CCTV cameras across the estate to increase security. The meeting discussed the proposal at length and the possible requirements for cameras such as infra red cameras, static or swivel cameras.

In response, a Director queried whether the installation of cameras would be a breach of the resident's civil liberties. Another director commented that from his experience elsewhere the installations of CCTV cameras do not deter wrongdoers and the police are generally uninterested in looking at CCTV footage for low level crime.

The Board agreed that the matter should be considered further and that to ascertain the opinion of the Shareholders an article should be placed in the October Newsletter and possibly by putting it forward as a resolution at the Annual General Meeting.

12/05/030 **Estate Parking** – A Director commented that the 'No Parking' signs have yet to be erected on Carbis Close, Kelsey Head and Carne Place and queried whether this was to be carried out as those areas suffers from non residents parking on these parts of the estate.

Countrywide advised the Board that the signs had been sent to the contractor who was in the process of identify the areas in which to site the signs. The Director agreed to provide Countrywide with a list of the areas which have the most severe issue.

Port Solent Community Working Party

12/05/031 Nothing further to report

6. ANY OTHER BUSINESS

12/05/032 A Director advised the Board that he has access to equipment that will enable POSOL to monitor the pollution levels across the estate which could possibly be of assistance to the Port Solent Community Working Party in respect of the proposed redevelopment strategy.

The Board thanked him for his offer and advised that it would take it under consideration.

12/05/033 [] **Newlyn Way** – Countrywide advised the Board that the previous owner of the property has refused to sign a Deed of Indemnity to cancel the share certificates which were lost by the purchasers' solicitors, which is preventing the Transfer of Ownership to be registered with the Land Registry. Countrywide sought guidance from the Board on how it would wish for them to proceed in this matter, due to the arrears that are accruing on the account.

Following a lengthy discussion, the Board commented that it understood that the share certificate was not lost by the previous owner but due to a restriction on the title, POSOL will not consent to the Transfer of Ownership without the Deed of Indemnity, and therefore she is still legally responsible for the service charge for the house which could possibly result in legal action being taken to recover any outstanding monies.

7. DATE OF NEXT MEETING – 15th June 2012.