

POSOL RESIDENTS MANAGEMENT COMPANY LIMITED

**MINUTES OF THE BOARD MEETING
HELD AT
QUAYSIDE, PORT SOLENT – 14th SEPTEMBER 2012**

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

In attendance: Peter Williams
Nikki Avis

1. APOLOGIES

12/09/001 No apologies were received

2. MINUTES OF THE PREVIOUS MEETING HELD ON 17TH AUGUST 2012.

12/09/002 Following the amendments made to the minutes prior to meeting, the minutes were approved. Ian Currie proposed and Barry White seconded.

3. MATTERS ARISING

12/09/003 [] **Coverack Way** – A Director queried the nature of the property alterations as he had seen mention of both balcony alterations and an application to build a garage at the rear of the property. Countrywide clarified that POSOL had previously granted conditional approval for works to replace the balcony on [] Coverack Way and that it had received a further application from the owner for POSOL consent to build a garage.

The meeting discussed the owner's application for the new garage at length and a Director commented that the onus is on the owner to ensure that the garage is only built on land that he solely owns and not on POSOL's land.

Countrywide advised that the owner has requested that the shrubbery surrounding the area where the garage is to be sited be removed so not to hinder his builders. The Board discussed his request and it agreed that it would ask Hambrooks to cut back the shrubbery but the responsibility of those costs will not be met by POSOL and the invoice will be issued to the owner.

The Covenants Working Group and Countrywide agreed to meet with the owner of [] Coverack Way to discuss the matter.

4. MANAGING AGENTS & WORKING GROUP REPORT

Finance – Budget – Expenditure

12/09/004 Countrywide advised the Board that expenditure to 31st August 2012 amounts to £194,294.51.

Countrywide commented that several landscaping invoices had been issued to the old Countrywide address and that Hambrooks have now issued copy invoices which have now been settled.

A Director queried whether invoices had been issued to those Shareholders which rent areas of POSOL's land. Countrywide advised the Board that it would look into the matter and clarify whether the rental monies had been collected.

A Director asked Countrywide to provide a breakdown of the large water rates that had been incurred so far this year. Countrywide advised that there were several minor leaks across the gardening watering points and one major leak which seemingly had been leaking for some time with the subsequent loss of a large amount of water. The Director further commented that the meters should be checked regularly.

12/09/005 **Service Charge Accounts for Year Ended 31st March 2012** – Draft accounts had previously been circulated to all Directors, and they were subsequently approved by the Board. Nick Hewitson proposed, Ian Currie seconded.

12/09/006 **Santander Bond** – Countrywide advised the Board that it was awaiting receipt of the completed paperwork from two of the Directors and that upon receipt it would proceed with setting up the Santander Bond as per its instruction.

Arrears

12/09/007 Countrywide advised the Board that the total arrears amount to £24,379 and of this £11,433 relates to aged debtors and that it had recovered £311.05 since the last Board meeting.

12/09/008 [] **Newlyn Way** – Countrywide advised the Board that Lockings Solicitors were experiencing difficulties locating a UK home address for the owner of [] Newlyn Way. Countrywide requested clarification from the Board of whether it would like the Tracing Agent to carry out a more exhaustive search, however this would incur a larger fee.

The Board discussed this matter at length and it agreed for the Tracing Agent to carry out a more in depth search but would instigate a maximum spend threshold of £200.00.

12/09/009 [] **Tintagel Way** – Countrywide advised the Board that it had not received any response from the Shareholder in respect of the arrears for the April service charge demand. The Board asked Countrywide to write to the owner reminding him to increase his monthly payments to take in to account the current service charge period as failure to do so will result in further court action being taken

12/09/010 [] **Newlyn Way** – The Board discussed the associated bailiff costs in respect of the oral examination proceedings and it duly agreed to use the Court appointed bailiff to serve the necessary summons to the owners of [] Newlyn Way.

12/09/011 [] **Mullion Close** – Countrywide advised the Board that the solicitors have refuted the defence submitted by [] Mullion Close. The matter has now been referred back to Portsmouth County Court and we await receipt of a court date.

12/09/012 [] **Tintagel Way** – Countrywide advised the Board that it had still not received settlement of the outstanding monies from the Shareholder and therefore the Solicitors will proceed accordingly.

12/09/013 [] **Sennen Place** – Countrywide advised the Board that the owner has yet to provide any proof that she had previously settled the outstanding balance as per her claims and continues to refuse to make settlement.

12/09/014 [] **Newlyn Way** – Countrywide commented that it had yet to receive a response from any of the parties involved in the transfer of ownership. A Director proposed that a letter be sent to the Company Secretary of the Investment Company who purchased the property to advise him that the transfer of ownership has not been registered with the land registry and therefore they have no legal rights over the property.

The Chairman of the Board agreed to contact the company personally to advise that due to service charge arrears there is a risk that a charging order will be placed on the property.

12/09/015 [] **Newlyn Way** – Countrywide advised the Board that it is receiving regular payments from the owner and that he is making a considerable effort to clear his arrears.

12/09/016 [] **Carbis Close** – Countrywide advised the Board that it had received a part settlement of the arrears leaving the April Service Charge as the remaining balance on the account.

12/09/017 [] **Coverack Way** – The Board discussed the arrears and it agreed that it would cease any further action until after the issuing of the October service charge invoices.

12/09/018 [] **Coverack Way** – The Board discussed the arrears and it agreed that it would cease any further action until after the issuing of the October service charge invoices.

12/09/019 [] **Carbis Close** – Countrywide advised that it has received a payment of £160.00 from the owner but it continued to chase the owner to discuss putting in place a formal payment plan.

12/09/020 [] **Coverack Way**– Countrywide advised that it has received a payment of £160.00 from the owner but it continued to chase the owner to discuss putting in place a formal payment plan.

12/09/021 [] **Carne Place** – Countrywide advised the Board that it had received correspondence from the owner to request that he be able to pay his outstanding balance in instalments due to his current financial situation.

The Board looked upon this favourably but asked Countrywide to write to the owner to request further details.

12/09/022 [] **Bryher Island** – Countrywide advised that this property is currently in the process of being sold and therefore all arrears are to be settled upon completion.

Property Alterations

12/09/023 [] **Newlyn Way** – The Covenants Working Group advised that it had viewed the works carried out and the meeting asked Countrywide to issue the letter of final consent to the owner

12/09/024 [] & [] **Sennen Place** – The Covenants Working Group advised the meeting that it had yet to meet with the owner to discuss the proposed property alterations but would do so as soon as possible and report back to the Board at the next meeting.

12/09/025 [] **Bryher Island** – The Covenants Working Group advised that after reviewing the plans and visiting the property it can see no reason for the application not to be approved on the basis that the

glass not be coloured, etched and/or mirrored. The Board proceeded to instruct Countrywide to issue the letter of conditional approval.

12/09/026 [] **Bryher Island** – Countrywide advised the meeting that it has issued the revised letter of conditional consent to the owner in respect of the car port conversion.

12/09/027 [] **Carbis Close** – Countrywide advised the Board that it had received a response from the owner who claims that the window frames are in fact in keeping with the original windows and that they consider the matter closed.

The meeting discussed the matter in length and it agreed that a caution be placed on the property.

12/09/028 [] **Tintagel Way** – Countrywide advised the Board that following the Covenants Working Group meeting it will be writing to the owner to advise that it has no objection to their proposal in principle but the Group have requested a meeting with the owner to discuss the matter further.

12/09/028 [] **Cadgwith Place** – The Covenants Working Group advised the Board that following its meeting with the owner and after reviewing the application further, it recommended that final consent for the alterations not be granted as the works have not been carried out in accordance with the approved plans. It therefore proposed that a caution be placed on the property for unapproved alterations.

Following a lengthy discussion, the Board agreed with the Group's recommendation and consent will not be granted for the works.

12/09/029 The Board asked Countrywide to provide a list of all the properties which are currently under caution for unauthorised property alterations. Countrywide advised that it will do so for the next Board Meeting.

Gardening

12/09/030 Countrywide advised that it received comments from a Shareholder in Mullion Close to advise the area of grass at the end of the Close is prone to animal fouling and has asked that it is redesigned to deter residents from allowing their pets to use the area. Countrywide advised that it was awaiting receipt of Hambrooks quote to pea shingle the area.

12/09/031 [] **Bryher Island** – The Gardening Working Group advised that it had received a complaint from the owner of [] Bryher Island, due to the state of the front garden and it proceeded to circulate a photograph.

The Board discussed the matter and commented that bespoke gardening is not within POSOL's remit or budget but it would review the garden with Hambrooks during the next walk around.

12/09/032 A Director informed the meeting that the works to the hedge between [37] and [38] Bryher Island have now been completed.

12/09/033 The Gardening Working Group and Countrywide advised the Board that in the coming weeks they will be undertaking an estate walk with Hambrooks to discuss the areas on the estate which need some attention including the areas which Shareholders have complained about.

12/09/034 The Gardening Working Group advised the meeting that it has reviewed the quotation submitted by Hambrooks for the rejuvenation of Newlyn Way and commented that the quoted costs were a lot higher than anticipated and it agreed to discuss with Hambrooks a specification of works so just to include the areas which require attention.

Communications

12/09/035 **Bi-Annual Newsletter** – A Director asked for the Board’s consideration to cease producing the bi-annual newsletter and go paperless. The meeting discussed the proposal and whilst it was not against the idea it was aware of a vast majority of Shareholders who make use of the newsletter rather than the website and therefore feel it is necessary to retain it for the time being.

All members of the Board and/or Working Groups were asked to submit articles for inclusion in the upcoming newsletter.

Berthing

12/09/036 **Berth []** – Following the request of the Board at last month’s meeting, Countrywide duly circulated a copy of the Boat Registration and Berth Licensing Forms in respect of Berth [].

Estate Security

12/09/0037 **Security Gate on Bryher Bridge** – A Director informed the meeting of remarks that had been made by the local patrol officer about the security gates across the estate. Having considered the remarks, the Board commented that the alterations they had instructed to the gates were for the benefit of all Shareholders.

12/09/038 **Security Gates** – Countrywide advised the meeting that the works to the gates are nearing completion and that no invoices will be settled until the works have been signed off by either Countrywide or the Security Working Group.

12/09/039 **Trip Hazards** – A Director commented that across the estate on the waterside, there was a large amount of vegetation overhanging the capping. This poses a serious trip hazard should emergency access across the capping be required. The Board agreed to ask Hambrooks to cut back the vegetation, if and when necessary.

12/09/040 A Director advised that Board that the police had apprehended two suspects following a spate of thefts from vehicles on the estate. The police having tested cars on the estate determined that 40% of those cars tested to be insecure.

General

12/09/041 A Director advised the meeting that he has been approached by a new Shareholder who has expressed an interest in joining the Board should a vacancy become available. Following a lengthy discussion, the Board agreed to keep her details and make arrangements to meet with the Shareholder to discuss their possible election to the Board.

Port Solent Community Working Party

12/09/042 Nothing further to report that has not been reported elsewhere.

5. ANY OTHER BUSINESS

12/09/043 **Neighbour Disputes** – The Board commented that since POSOL has no jurisdiction to intervene, it will enter into no further correspondence in respect of the neighbour dispute over parking in Newlyn Way.

12/09/044

A Director commented that recently a smart car has been blocking access through the rear gate to a property on the estate. When challenged, the owner of the vehicle advised that as she used the garage she had a legal right to park in front of it. The Director proceeded to query whether this in fact is true.

The meeting commented that in practice she is able to park there unless the vehicle is causing an obstruction which in this case they are.

6. DATE OF NEXT MEETING – 19^h October 2012